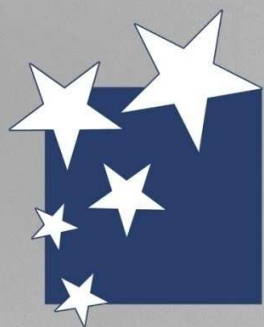


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LIBERALIZATION OF AUTHORITY: ADMINISTRATIVE TASKS' PRIVATIZATION IN THEORY AND COMPARATIVELY

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Abstract

Besides the traditional forms of liberalization of public services and authority, public administration reforms also involve the privatization of (state) administrative tasks. In some countries, including Slovenia, private holders perform public tasks in such a way based on “public authority”. The main reason for granting public authority is increased efficiency of administrative tasks, which private entities achieve through liberalization of political influence and rationalization of work. However, due protection of public interest has to be maintained by strategic control of public authority. The article addresses by theoretical analysis aspects of administrative tasks' privatization based and analyzed on the example of multiple OECD and the EU countries, especially Slovenia, in the context of good governance concept in order to offer guidelines for similar reforms in other countries.

Key words: liberalization; privatization; administrative tasks; public authority; Slovenia

INTRODUCTION

The reform of public administration – perceived as a social subsystem that needs to constantly adjust to the environment in which (and because of which) it operates – has been implemented worldwide as a project or process of modernization since the late 1980s, reaching Slovenia in the mid-1990s and the rest of the post-socialist countries along with their respective independence processes (Dunn et al. 2006, Kovač 2013). Therefore, each stage of the reform is characterized by a specific trend, the most recent – observed both in the states members of the Organization for Economic Co-operation and Development (hereinafter: OECD) as well as in Slovenia and other countries – being liberalization and privatization (more in Bouckaert and Pollitt 2004, Goldfinch et al. 2009, Goltz 2014). These two terms should not be understood as mere capital privatization or simple deregulation of the state's functions. Quite the opposite, they represent a complex functional and organizational restructuring process aimed at creating a regulatory and efficient state. Parallel to the primarily economic understanding of the role of the state and administration in the society, there are also other, more politology and sociology related trends, such as the doctrine of good governance (see its forms in general and in Eastern Europe in Kovač and Gajduschek 2015). It seems, however, that the theory and practice of good governance only prosper in the countries that have successfully completed the previous round of privatization.

The article deals with the concept and forms of privatization of public and, specifically, authoritative administrative tasks intended to improve apolitical work efficiency, which is the primary or predominant reason for the transfer of such tasks to private holders (Bevir 2011, 237). Namely, authoritative and non-authoritative actions cannot be fully separated, neither organizationally nor functionally, as the functions of the state administration at the same time involve the exercise of state powers as well as of non-authoritative professional activity. But despite such dual character one cannot speak about two different roles of the administration, but rather about two aspects of the same role. The non/authoritativeness of an individual body or function can only be assessed based on predominance. In such regard, the main emphasis is given to the question whether the declared objective of the transfer is being pursued, like managerial autonomy and competence (cf. Pollitt in Ferlie 2007, 377), as well as to the lack of *ex-post* evaluations regarding the accomplishment of the objective of liberalization of political influence and better efficiency.

PRIVATIZATION OF ADMINISTRATIVE TASKS GLOBALLY

General on privatization of administrative tasks

Since the late 1980s, the purpose of any reform of the public sector worldwide – and particularly in OECD countries – has been liberalization, which in the strict sense of the word means transformation of administrative tasks into open-market activities, whereas in the broad sense it is understood as: (normative) deregulation, (predominantly organizational) decentralization and (predominantly economic) privatization.

Similarly, as regards forms of privatization in terms of organization, property, substantive law and finance, Schuppert (2000, 354–370) defines ‘public’ much broader as any form of cooperation between state and private. Such views are rather confusing, despite their integration in terms of functionality, i.e. at the level of powers, but connected nevertheless as given on the basis of the complexity within the phenomenon of ‘hollowing out the functions of the state’ (e.g. Rus 2001, 25). It does not mean that such functions are no longer exercised but rather that they are delegated to other parties, whereby the state aims at keeping its administration lean by minimizing the tasks to be performed in such context. The functions and tasks specified by law should in fact provide for an optimal organizational structure and rational use of public finance. According to international financial organizations (see particularly the World Bank 2015), only those organizations which provide public goods and services and contribute to achieving the main goals can act as public sector organizations, while other tasks should be delegated to parties outside the public sector or at least outside the public administration since they are able to use public funds on the market more rationally. This brings value for money, which is achieved either by suspending certain tasks or activities, by divestiture, by privatization, or by delegation to other government levels.

However, privatization is also not suitable for all public services since some are exclusive and others are not, and privatization is only possible in the first case. Moreover, some areas have specific burdens, such as a large number of free riders in social assistance or undefined service quality in the privatization of health care, as well as monopoly (infrastructure), dependence on the economies of scale, accumulation of negative externalities, etc. (more Dollery in Goldfinch 2009, 18). Also characteristic is the transition from deregulation to privatization, particularly in the former Eastern European countries which – (too) eager to make up for the

decades-long suppression of the natural development of capitalism – went straight from socialism into capitalism, whereas the majority of developed industrial societies opted for post-capitalism. Thus, if administration is responsible for decision-making and implementation, at least the control function is not located therein but is separated and designed as a parallel to the administrative centre. In such regard, the efficiency factor of the agencies is evident. This may be explained through the definition of efficiency in the performance of public tasks. In such case, efficiency is perceived as the fulfillment of one or more of the following requirements: lower costs or higher quality of service, or higher quality of organization as a result of better management (Goldfinch et al. 2009, 177).

Privatization involves the transfer of functions and parallel resources outside the government sphere, or the use of work procedures based on the model applied by private parties (see for UK or Denmark in Goldfinch et al. 2009, 141, 287). In sum, we can distinguish several groups or forms of privatization, starting with real privatization which concerns the manner and the extent of the provision of services while control is still exercised by the state/municipality, and similar capital or property privatization of the state or municipal property, followed by privatization of financial resources involving private financing of public tasks.

More interesting for the topic dealt with herein is the privatization of functions, particularly the privatization of the provision of public services at the local level while the design of public policies and control, and thus accountability, remains within the competence of the public sphere. The same applies to the privatization of processes and procedures, referring mainly to the enterprization of operations. Finally, there is the formal or status privatization involving, in addition to the transfer of tasks to the private sphere, the takeover of a private form of operation where, however, the influence of the state is preserved (e.g. transformation of a state body or legal entity under public law into a company where the government exercises founding rights or a part thereof). Hence, we can summarize privatization by its forms and impacts as follows:

- economic or traditional privatization, i.e. sale of public resources;
- liberalization or corporatization of individual parts of administration by transfer thereof into market regulation,
- enterprization of public administration by transfer of managerial methods from private into public sector under the new public management (cf. Ferlie et al. 2007);
- granting of concessions or public authority (cf. Rus 2001, 116).

Thus, in defining privatization, authors modestly differentiate between capital privatization and privatization of public services. Given the actual forms of privatization and from a legal perspective, however, mention should also be made of the privatization of administrative tasks, which needs to be distinguished from the privatization of public services. The forms of ‘real’ privatization of administrative tasks (i.e. where the status is also evident) include three types of privatization. First, capital privatization or deregulation, with the same impact on the nature of the administrative task; second, privatization of public services, mainly by means of concessions or capital investments; and third, privatization of administrative (mainly authoritative) tasks by means of public authority.

A distinction between the latter two is necessary since according to the law in various countries the task of the state administration is not to perform public services but only to provide them. In accordance with the Slovenian constitution, public authority may only be granted for the tasks defined as ‘tasks of the state administration’; the performance of public services is

therefore not subject to public authority but rather to concessions. Several differences exist between the privatization of public services and the privatization of administrative tasks, the main being that the latter involves much more restrictiveness of the state which is reluctant to give up its power, as demonstrated by practical experience in individual countries albeit public authority and concessions might also intertwine when the concession holder also decides on the rights and duties of the users.

Analysis of administrative tasks' privatization in selected countries

Privatization in its broadest sense – both in relation to public services and administrative tasks – is characteristic of all countries that in the last two decades of the 20th century were affected by the wave of the new public management, but is more accentuated in the Anglo-Saxon world. The British privatization comprised above all the introduction of concession contracts between the state and private organizations, the development of the internal market, and the individualization of employment contracts. It was based on two approaches. First, at the macro level by deregulation or liberalization (equalizing the market status of public and private organizations), and second, at the micro level by denationalization of state enterprises (British Telecom, Gas, Rail, etc.).

Globalization accelerated the spread of ideas about decentralization and privatization, and changed the needs, the expectations, and the influence of citizens (cf. Rusch 2013). This is suggested particularly within a notion of distributed public governance (see OECD 2002, Goldfinch et al. 2009, 224, 263, 280). It needs to be underlined that the OECD definition of agencies, in addition to organizations outside the state administration, also comprises government i.e. state bodies. The most typical and most often quoted example of government agencies with a certain degree of autonomy yet still under the authority and administration of the state are the British and Dutch executive agencies. The latter are deemed to be a preliminary step toward the introduction of competitiveness and thus improvement of quality. In the Netherlands there is a range of agencies the number of which has grown significantly under the process of privatization since mid-1990s as a result of the partial independence of parts of the ministries, additionally there are several independent administrative bodies, both following either lower costs or better management. The UK presents various forms of decentralization: executive agencies, non-departmental public bodies, nationalized public corporations, etc. Since higher productivity was a key indicator, the quality thereof was often disregarded in labor intense activities of the public sector, mainly education and health care. Given the high growth and the resulting lack of control and coordination, the British system is strongly criticized (OECD 2002, 216). On the contrary, privatization in Germany seems to be characterized by corporatism of public institutes (transfer from budget financing to market regulation), while in Sweden it is marked by decentralization of powers to public agencies.

In some countries, the term privatization is used to denote various approaches, such as the decentralization of social regulation, exclusion of individual units of administration from the government sector, expansion of the market regulation of public services, moving financing and control from input to output values, withdrawal of state bodies from decision-making on the account of the establishment and participation of the users of public services, etc. But regardless of the difference between Anglo-Saxon, German, Francophone, Scandinavian and other countries, the common denominator in transferring administrative tasks outside the government sector is the changed role of the state, moving from interventionism and coercion to service-

orientation with emphasis on efficiency and democratization. The final finding is therefore, that every country has a system of its own which cannot be compared to others. Nevertheless, the processes of privatization and decentralization spread from public services to (authoritative) administrative tasks, while occasionally the (exaggerated) decentralization of the past decades consolidates in the form of further centralization.

The EU law, on the other hand, only regulates the delegation of powers to EU institutions rather than the Member States. According to Hartley (2003, 118–124), delegation of powers takes place at various levels, depending on the parties involved, whereby privatization of administrative tasks only means the delegation of powers from the Commission to outside bodies. In the event of delegation to outside bodies, both the powers and the procedural rules must be highly specified in order to avoid abuse. Considering their powers, these bodies mainly perform technical and consulting tasks rather than regulatory or executive tasks, playing their role particularly by means of financial measures (Schwarze 1992, 1208). It is also possible to delegate regulatory functions, i.e. to adopt regulations, but only in specific cases and not in general. The leading case on delegation of powers to outside bodies is still *Meroni vs. Commission* (Case 9-10/56). The Court ruling paid particular attention to the most basic question – does the Commission have any right to delegate at all since the powers have been granted to it based on confidence. The Court ruled that the possibility of delegation is very limited and has to meet the following criteria: (1) clearly defined executive powers, and (2) the exercise of powers, must be subject to strict rules based on objective criteria.

The international comparison of selected countries and the EU indicates a high degree of relatedness among the reasons for delegating tasks outside the government sector or state administration. The most frequent reason is the improvement of efficiency and effectiveness of operations, including specialization of functions and activities which allows better focus on clients' needs. Another factor decisively contributing to better expertise is the independence of the government and of the ruling political option, reflected in the professional autonomy of independent decision-making, financial autonomy, etc. On the other hand, it is not recommended to establish agencies for areas requiring a high degree of interdepartmental or inter-institutional coordination. There are also so called hidden reasons, such as offering positions for retired politicians, possible drifting public funds through parallel channels, avoiding strict rules of public law, etc. So - is there any such thing as harmonized privatization of the European administrative environment? Based on the examined data, such argument cannot be uncritically advocated. Moreover, particularly in the countries where decentralization and privatization are most evident (UK, Sweden, Netherlands) after several decades of development of the agencies there is an explicit trend of centralization or increased coordination and establishment of political accountability.

Administrative tasks' privatization in Slovenia

In the legal system of Slovenia, public authority is mainly an instrument of administrative deconcentration whereby the state – pursuant to Article 121 of the Constitution and a special law – vests certain duties of the state administration in a diverse group of parties, broadly classified into public law bodies, private organizations, and individuals. The Constitution reads: '*Self-governing communities, enterprises, other organizations and individuals may be vested by law with public authority to perform certain duties of the state administration*'. According to the Constitution, public authority may only be granted by law, meaning that the

administration does not delegate tasks by itself but such are delegated by the National Assembly. In terms of their status, these are public law organizations as well as ever more frequently private organizations and individuals engaged in heterogeneous fields of work (e.g. land surveyors, local development agencies or social work centers, the national Pension and Disability Insurance Institute, authorized vehicle inspection offices, public agencies for the regulation of securities or energy markets, notaries, ski run inspectors, private driving schools and security services, the Red Cross, the Chamber of Commerce and Industry, the Medical Chamber, student organizations, etc., more in Kovač 2006).

Slovenia thus pursues various objectives, among which better efficiency in performing administrative tasks, fulfillment of the need for self-regulation and/or the necessity to isolate the performance of tasks from day-to-day politics (see Kovač 2013). Public authority in Slovenia always means that the tasks of the state administration are delegated to organizations and individuals outside the organizational structure of the state administration, which is only possible if the relevant law provides for such possibility and determines the status form of the delegated party (either a specific public law body or several possible private parties). Owing to public interest, public authority cannot be granted to everyone and in every case, but is 'entrusted' or 'conferred'. Therefore, the reason for conferring public authority must be grounded and legitimate, and is formally expressed in the constitutional requirement whereby the tasks of the state administration may only be delegated on the basis of law. Since the state has monopoly over executing authority, authoritative tasks may be entrusted by means of public authority only when absolutely necessary, either on grounds of independence or of the need for self-regulation by establishing a public law body to exercise such tasks entirely, or for implementing the basic tasks of the authorized party. In the latter case, the authoritative task subject to public authority must be so close to the basic function of the bearer of public authority that it cannot be exercised without public authority. This is the principle of connectedness of public authority. In case of non-authoritative tasks, such close connection is theoretically not necessary – the usual and at the same time indispensable rationale for the delegation of tasks is that the delegated organization performs them more efficiently or economically for both the administration as a whole as well as for the users of public services.

A constitutive mark of public authority in the sense of privatization of administrative tasks is the delegation of authoritative tasks to private organizations or individuals, normally for several years following a selection procedure and with a subsequently defined contractual relation (similarly as in the case of concessions, this involves a mixed public and private law relation between the state and the bearer of public authority). The delegation of tasks of the state administration implies in case of broader privatization (1) general legal acts whereby the bearer of public authority defines the relations to the parties are issued less frequently and (2) most often, authoritative and unilateral decisions based on the law are taken in individual cases under administrative procedure concerning the rights and duties of individuals (cf. Goltz 2014). Yet the relation to the clients should be ensured primarily by the relevant ministries (cf. Beviret al. 2011, 245, 265, 339), in the most extreme case by delegating tasks back to the state.

Despite the fact that it is regulated by law, public authority is characterized by a dynamic dimension which defines it a social phenomenon. Public authority evolved in the Slovenian social context from the Yugoslav tradition of self-governing activity to the contemporary definition of public authority as an instrument of modern reform of public administration, with the purpose – as mentioned above – of reducing public spending as a share of GDP or ensuring better access of the parties. The social-political aspect is of course present

already at the time of granting public authority, taking into account the priorities of the ruling coalition (such as rationalization, political neutrality, reducing public administration, specialization of functions, better expertise of implementation, etc.). Such aspect is topical from the moment the law granting public authority is drawn up at the ministry to its passing into legislative procedure in parliament. Particularly over the last three decades, the number of areas concerned and of individual bearers of public authority has been rising both in Slovenia and in the EU and abroad, mainly owing to greater extent and complexity of tasks of the state administration (Craig 2005, 270, Bevir et al. 2011, 237, 330). Under the influence of the EU deregulation and liberalization trends, privatization expanded to several new areas (e.g. utility services) yet brought about also possibilities of abuse and withdrawal of authority (more in Kovač 2006, 329, example of private security services). In fact, by delegating administrative tasks to non-state bodies, the state cannot give up its accountability for carrying out the delegated duties. The state or, more precisely, the ministries must still monitor the state of affairs in the areas they cover. The main two phases of the administrative process which ministries must carry out in relation to the bearers of public authority are the above mentioned policy-making in their scope of work and the monitoring and control of implementation of individual policies. The relations between the state and its government and the bearers of public authority are thus stigmatized both politically and professionally.

DRIVING FORCES, CONCERNS AND EVALUATION GROUNDS FOR THE ADMINISTRATIVE TASKS' PRIVATIZATION WORLDWIDE

The objective of the privatization of public tasks, i.e. both public services and administrative tasks, is not the restructuring of public and private sectors as such, but above all efficient spending, better use of existing and potential resources, more freedom and variety of choice for the clients, and greater independence of the individual from the state, which all come with market regulation (Talbot in Ferlie 2007, 491). Nevertheless, the proclaimed objectives often remain unfulfilled since privatization also allows abuse – from technocracy to corruption, monopoly, discrimination, etc.

Furthermore, any form of privatization can jeopardize public interest (see Osborne and Plastrik 2000, 96–98, Deleon in Ferlie 2007, 103). General or social interest means meeting the needs of the society which are identified as individual needs of any member of the society and which the majority considers to be most rationally provided by the state. Yet only the general interest that is legalized based on a democratic procedure can be considered public interest. The protection of public interest normally prevails over the protection of private interests, and the right of the individual is recognized based on submission to public interest despite not clearly defined public interest in each case separately, but provided by an administrative act to be subject to judicial control (Schwarze 1992, 1464). Given their nature, state bodies are bound by interests and subordinated to certain public interests, which should also be characteristic of bodies performing public tasks. Therefore, rather than the mere economic goals of privatization, in the efforts toward greater efficiency and effectiveness increasing emphasis and attention is given to non-economic goals, such as democratization, legal certainty, equality and solidarity (see Rusch 2013, Kovač and Gajduschek 2015, 12). Likewise, it would be wrong if certain government representatives used privatization to avoid the rules of public law or pursue illegitimate goals, such as avoiding coordination with the trade unions (cf. Cohen and Eimicke in Bevir 2011, 239). In such context, the state and the society are not responsible to eliminate

conflicts *a priori*, but rather to systematically, intensively and overall provide for such a procedural confrontation of possible and necessary collisions of interests as to minimize social conflicts. Decision-making in administrative matters thus implies not only gathering information and issuing decisions, but primarily involves value-based work (cf. Magiera et al. 2008). The state is still left with accountability as well as with the actual implementation of the steering or strategic function – which it cannot delegate or privatize. Therefore, despite privatization (delegation from public to private parties), administrative tasks must be performed in public interest, which should be ensured mainly by means of:

- a procedure for granting public authority with access to a large number of candidates and selection of the best candidate based on the objectives and criteria of delegation of administrative tasks;
- standards for the exercise of public authority in relation to the parties;
- control of line ministries and possible withdraw of public authority (Kovač 2006).

To conclude, an overview of privatization worldwide shows that its impacts are less clear than the very ideology of privatization presenting private property as the only efficient form (cf. Cohen and Eimicke in Bevir 2011, 240). Studies reveal that even in the USA with a long tradition of enterprization the provision of public services only within the public sector is about 35-95% more expensive than the provision of services based on contracts, not because of the incapacity of the public sector or the type of property, but because of its monopolistic self-sufficiency in the absence of competition (Osborne and Gaebler 1994, 81–84). Here, it is important to distinguish whether privatization affects a segment with an increasing market or a segment with a decreasing market – in the first case, there is more hope for a successful privatization than in the latter. Thus, the administrative process is gaining legitimacy, since politics and administrative expertise as well as democracy with a participative strategic component in the sense of contemporary theories of participative governance (cf. Deleon in Ferlie 2007, 110; Haque and Schuppert in Bevir 2011, 286, 330).

However, efficiency was first assessed only from the viewpoint of the state (regulator) while today – with the expansion of the circle of legitimate interests – efficiency is assessed also from the viewpoint of the regulated (citizens and other persons). The main problem – the extent of which is hard or impossible to assess – is the evaluation of costs or burdens deriving from the need for better coordination of the entire system, as noted by the very British experiences (Pollitt 2004). In such context, we speak of trade-off between authoritative efficiency and fair results; (cf. Craig 2005, 271). There is no simple answer to whether priority should be given to the efficiency of powers or of the entire system, but the above problem and the extent thereof certainly need to be considered in the (*ex ante* and *ex post*) evaluation of efficiency of delegating tasks outside the administration. Relevant in such respect is the degree of connectedness between public authority and the organization's main activity, as well as the degree of autonomy of public authority since greater autonomy implies better efficiency of implementation and of the administrative system as such, as well as the promotion of the bearer's central activity. Furthermore, comparative analyses must be considered since it is very likely that a certain task will be implemented more efficiently – individually or as the system as a whole – if evidence thereof can be found in another country.

CONCLUSION

In classic theory, privatization of administrative tasks is aiming to economic efficiency rather than political liberalization. As indicated above, such concept is nowadays considered too narrow since there are also other reasons for conferring public authority besides the efficient implementation of administrative tasks, such as the need for political independence and greater focus on the users of public services. Thus, the main goal of privatization is not (or should not be) the enterprization of public administration but greater quality of service achieved through professionalization and user participation. An overview of the functional and organizational structure of public administration in selected countries indicates a trend of privatization as well as a parallel trend of decentralization and centralization, depending on the nature of the tasks and particularly in relation to the users. Delegation of tasks should not be regarded as fashion suggested by others, the administration's dependence on external parties (monopolies) and the outflow of knowledge and expertise need to be prevented, professionalization should not lead to commercialization, financial impacts of delegation should be assessed, guarantees for user access and the assumption of responsibility of providers upon delegation should be determined. Instead of enterprization and decentralization only, a better solution seems to be a contract-based and responsible privatization. In addition, a very important lesson learned from past experience is that privatization should not drastically reduce the already achieved socialization and principle of equal access to administrative services.

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GENDER AND THE RIGHT TO NON-DISCRIMINATION IN INTERNATIONAL HUMAN RIGHTS LAW

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Abstract

Discrimination against women based on the fact that they are women is a deeply rooted practice in all societies. However, the level of discrimination varies greatly with the level of development of the given society and strongly influences and vice versa it is influenced by the status of women in a given society. Addressing this gender-based discrimination is a difficult task because it is closely linked to the concept of equality, and state's action and inactions. The article establishes that the States parties' obligation is to ensure that there is no direct or indirect discrimination against women in their laws, sanctions, and other remedies and those women are protected against discrimination in the public, as well as, in the private spheres.

Key words: Gender; Direct and Indirect Discrimination; Affirmative action

INTRODUCTION

Discrimination against women based on the fact that they are women is a deeply rooted practice in all societies. However, the level of discrimination varies greatly with the level of development of the given society and strongly influences and *vice versa* is influenced by the status of women in a given society. Addressing this gender-based discrimination is a difficult task because is closely linked to the concept of equality, and state's action's and inactions. There are several international legal instruments that starve to eliminate discrimination of women in a more systematic way, headed by the CEDAW, the ECHR and the quazi-jurisprudence of the ECtHR, and finally the Human Rights Committee (HRC) of the ICCPR. The article will analyse the scope of application of the right to be free of discrimination, the concept of equality and the positive state obligations stemming from the relevant international legal documents, with the aim of showing precisely identified positive state obligations that will ultimately lead to the best possible actions on national level in forms of laws, policies and measures to eliminate gender based discrimination and to achieve actual equality.

Scope of application

The CEDAW Convention is designed to redress discrimination against women, and explicitly aims to benefit women. (Steiner and Alston 2000, at158) EDAW's Article 1 reveals that gender based discrimination is 'any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.' (Article 1 1981) The Convention's definition and scope of protection of gender discrimination goes beyond the concept of discrimination used in many national and international legal standards and norms as acknowledged in the General Recommendation 25 pointing out that while such standards and norms prohibit discrimination on the ground of sex, *inter alia*, and protect both men and women from treatment based on arbitrary, unfair and/or unjustifiable distinctions, the Convention focuses only on types of discrimination against women, *i.e.* gender based discrimination, emphasizing that women have suffered and continue to suffer from various forms of discrimination, only because they are women. (CEDAW 2005)

Concept of equality

Before investigating the definition of discrimination and the concept of this right, it is important to explore the concept of equality because it presents a broader, all encompassing concept. The term equality is an elusive but very rich one because it has many different but interrelated dimensions: discrimination, affirmative action, equality before the law, and equal protection of the law-to name the major ones (Henrard 2006).

This equality cannot be achieved by simply erasing any distinction between men and women; it calls for taking actions, sometimes even radical ones, with the aim of bringing special legal and non-legal measures to ensure *de facto* and substantive equality (Nowak 1993). In 1990, Asbjorn Eide and Torkel Opsahl opined that non-discrimination was the only road to reaching the vague idea of equality (Eide and Opsahl 1990). Similarly, under the international law, the concept of equality can be said to incorporate two meanings-the principle of non-discrimination that propels governments to refrain from differentiating on unlawful, arbitrary and unreasonable grounds, and the principle of protection or adoption of special measures in order to achieve actual or substantive equality (McKean 1985). The concept of 'actual' equality, understood in a broader sense, could mean the assumption of 'sameness'-that is to say treating the same cases in same manner and thus, not making a differentiation (McKean 1985). This translates into the non-discrimination requirement or the prohibition of the law on discrimination on basis of sex, race, and religion. However, with respect to the second meaning of the concept of equality, certain exceptions pertaining certain groups could be said to justify the accepting of the fact that there are differences among the 'same' cases (Wentholt n.d). For example, even though treating women and men equally in a formal sense is the general requirement and ensures formal equality, the disadvantaged position of women in societies and the different characteristics of the women *vis-à-vis* men (pregnancy, child birth, children etc.), could be justification enough to adopt a different treatment in order to achieve substantive equality cases (Wentholt n.d). This, in other hand, would mean acceptance that like cases in a formal sense could be treated as unlike cases in a substantive sense; more specifically, in a way that allows reflection of their differences (Mulder n.d) or as Henrard observes: "full equality acknowledges differences in starting

positions which might necessitate differential treatment in order to reach real, effective equality.” (Henrard 2006).

This distinction between formal and substantive equality has been on the agenda of legal literature in recent times. The essence of substantive equality has been argued and understood differently by various authors; however, Mulder points out that it implies a right to better material conditions and social opportunities for those who have fallen behind (Mulder 1999). The European Court of Human Rights has expanded its non-discrimination jurisprudence by pointing at the issue of substantive equality in the case of *Thlimmenos v. Greece* (2000). However, it is important to investigate to what extent the prohibition of discrimination furthers substantive equality. This arguably depends (*inter alia*) on the extent to which the supervisory body recognizes indirect discrimination and an obligation to differentiate and also on the evaluation of affirmative action measures in relation to the prohibition of discrimination (Henrard 2006).

Not every differentiation amounts to a prohibited discrimination. (McKean 2002) Understanding substantive equality as the starting point of gender protection allows us to see the extent to which the supervisory body recognizes the indirect discrimination, an obligation to differentiate, and the evaluation of affirmative action measures (in relation to the prohibition of discrimination). Finally, in view of the pervasiveness of discrimination against women, it is also important to assess to what extent the prohibition of discrimination would impose positive obligations on states to eradicate ‘private’ discrimination.

Establishing discrimination

In order to establish the positive obligation on states it is paramount to look at the quasi-jurisprudence of the ECtHR. Namely, the ECtHR uses certain criteria in addressing complaints of discrimination (Ovey and White, 2002). The first criteria would be the establishment of whether the complaint of discrimination falls within the sphere of a protected right. Article 14 of the ECHR prohibiting discrimination is a parasitic provision (1998). It has always been looked at by the Court in conjunction with some other substantive right (Henrard 2006). The Court has described the prohibition of discrimination in Article 14 as autonomous in meaning but an accessory in applications (*Rasmussen v Denmark* 1984):

‘71. According to the Court's established case-law, Article 14 (art. 14) complements the other substantive provisions of the Convention and the Protocols. It has no independent existence since it has effect solely in relation to "the enjoyment of the rights and freedoms" safeguarded by those provisions. Although the application of Article 14 (art. 14) does not necessarily presuppose a breach of those provisions - and to this extent it is autonomous -, there can be no room for its application unless the facts at issue fall within the ambit of one or more of the latter. (*Abdulaziz, Cabales and Balkandali v The United Kingdom* 1985).

However, the new Protocol 12 broadens the scope of application of Article 14, so that it is no longer parasitic by needing to invoke it along with another right. However, this extension only applies to the conduct of public authorities and does not extend to private persons (Explanatory Report n.d). The modern approach is to consider a complaint of a violation of

Article 14 read together with the substantive provision, if there is clear inequality in treatment in the enjoyment of the right in question as a fundamental aspect of the case (*Burghartz v Switzerland* 1994). Even though it is no longer required that the right in combination with which article 14 is invoked is also violated in itself (*Belgian Linguistics* n.d), the Court, after finding violation of the substantive article, no longer has the duty to investigate the discrimination complaint (McKean 1985). The second criteria would pose itself as the question of whether there is a different treatment.

The jurisprudence of the ECtHR stresses the use of a comparability test that requires the proof of a differential treatment of persons that are comparable in relation to the norm making the differential treatment. (Henrard 2006) The HRC often seems to use this test (VandenHole 2005). However, this test is often not actually used (*Inze v Austria* 1987) by the Court, or it is replaced by a disadvantage test (*Elsholz v Germany* 2000). The latter test requires the proof of a differential treatment, which results in considerable disadvantage for the claimant. Whether the disadvantage is serious enough depends on the exact circumstances of the case.

In the case of *Thlimmenos v Greece* (2001) the Court held that Article 14 is also violated when States without objective and reasonable justification fail to treat differently persons whose situations are significantly different. This aspect of Article 14, may help in an argument for *reasonable adjustments*. Only a differential treatment of sufficiently comparable cases is reviewed under the justification test. The starting point is to consider if the applicants can prove that they have been treated less favorably than the group that is being compared with based on identified characteristics.

However, the comparability test does not always produces positive results, especially when differential treatment concerns situations are said not to be comparable. (Henrard 2006) A case that illustrates this is *Van der Musel v Belgium* (1983), where the applicant unsuccessfully argued that the comparators are different professional groups. But comparability issues cannot be totally neglected; the prohibition of discrimination can be violated when there is no differential treatment of situations, which are not comparable, without reasonable and objective justification. (Henrard 2006) As Henrard observes: “this obligation to differentiate as flowing from the prohibition of discrimination simply contains the reverse situation and hence would require a proof of the absence of differential treatment of not comparable situations.” (Henrard 2006). Where the differential treatment is between men and women, as in *Abdulaziz, Cabales and Balkandali v United Kingdom* (1985), weighty reasons are required by the Court to justify the differential treatment (Vierdag n.d).

The next criteria is to see whether the treatment pursue a legitimate aim. In arguing a legitimate aim for differential treatment, the respondent State has to show the nature of the legitimate aim pursued and the link between the legitimate treatment and that legitimate aim (Ovey and White 2002). The European Court of Human Rights, since the *Belgian linguistics case*, has created a jurisprudence in which it points out that a difference of treatment only amounts to a prohibited discrimination if it has no objective and reasonable justification—that is if it does not pursue ‘a legitimate aim (*Belgian Linguistic case* 1968). In regard to the requirement of a legitimate aim, it should be noted that in contrast to the doctrine of legitimate limitations, Article 14 does not contain a limitative enumeration of possible legitimate aims (Henrard 2006). Where limitation on the rights in Articles 8-11 is expressly authorized, a State cannot limit the right in a discriminatory way, even though by doing so would not violate the substantive article where the limitation is legitimate, but it will violate Article 14 (*Grandrath v Federal Republic of Germany*). The European Court of Human Rights has not enumerated or imposed substantive

requirements as to the type of aim that was invoked by states. There are some cases in which the Court has identified some substantive requirements, such as in *Buchen v Czech Republic* (2002). The aim should be in line with the foundational principles of a democratic society. This relationship between differentiation and the legitimate aim pursued has been further clarified by the Court. The Court has emphasized that the distinction made should be pertinent and adequate or relevant to the achievement of the legitimate aim. However, even though this requirement of pertinence is often distinguished from the proportionality test, they are closely connected in a way that “when the legitimate aim is not sufficiently related to the differential treatment, the measure complained of shall not pass the proportionality test either.” (Henrard 2006). Finally, the last criteria examines whether the means employed are proportionate to the legitimate aim and does the difference of treatment goes beyond the State’s margin of appreciation? In the *Belgian linguistics case* (1968), the European Court of Human Rights stated that a difference of treatment only amounts to a prohibited discrimination if there is not a ‘reasonable relationship of proportionality between the means employed and the aim sought to be realized (Belgian linguistics case 1968). This was also confirmed in *Lithgow and others v United Kingdom* (1986).

First of all, proportionality requires there to be a reasonable relation between the legitimate aim on the one hand and the differential treatment on the other hand. In other words, differential treatment should not go beyond what is strictly necessary in order to achieve the goal (Karner v Austria 2003). In the case law of the ECtHR, the presence of this proportionality test implies the grant of a certain margin of appreciation to the contracting states. It is exactly the extent of this margin of appreciation in a particular case, which determines (more or less) the outcome. Where a limitations on the rights 8-11 is expressly authorized, a State cannot limit the right in a discriminatory way, even though doing so would not violate the substantive article where the limitation is legitimate, but will violate Article 14 (Grandrath v Federal Republic of Germany). As said before, the width of choice available to States to introduce laws that could be discriminatory is based on the context. For example, in cases of discrimination based on sex, the margin of appreciation does not exist. Consequently, it is very difficult to prove no violation as in *Karlheinz Schmidt v Germany* (1994). The ECtHR, in *Nachova v Bulgaria* (2005), has said that in cases of discrimination, the Court may require the respondent government to disprove an arguable allegation of discrimination. If they fail to do so the Court may find a violation of Article 14 of the Convention on that basis.

CEDAW’s prohibition of discrimination only concerns the grounds of ‘gender.’ Since it is not parasitic it has a broader field of application (Smith 2005), with respect to women than the ECHR. The Convention acknowledges indirect horizontal application-thus protecting individuals from interference with their right by non-state actors. For example, Article 11 of the CEDAW requires parties to the Convention to enact measures that will eliminate discrimination in employment. Furthermore, the CEDAW includes the obligation to promote-a provision, which blurs the public private divide (Steiner and Alston 2000).

Types of discrimination: direct and indirect discrimination

Discrimination can be direct and indirect. Direct discrimination affects certain groups within society, in this case women, through clear stipulated laws and policies that differentiate between groups, for example, on bases on sex. An illustration would be the introduction of policies that restrict women’s freedom of movement.

It is important that the prohibition of discrimination also targets indirect discrimination. However, indirect discrimination is hard to detect because it occurs when a neutral criterion, which in reality affects persons of (for example) different sex, is used (Heringa). According to Schultz et al, “indirect discrimination occurs when a practice, rule, requirement, or condition is neutral on its face, but impacts disproportionately upon particular groups.” (Tobler 2005). Heringa observes that indirect discrimination can be realised in bad intention hidden behind objective criteria referring to different selection criteria on the basis of sex for example, or it can be in good faith when requiring certain job skills that exclude women. However, in the end, it is not the intention that matters, but the effect of the measure or law in question because the effect that indirect or direct discrimination against women has on women and their lives in a given country, pushes them to migrate in search for better life, whereas the intention could be argued either way.

The HRC has been contradictory in its recognition of the indirect discrimination, as seen from its conflicting decisions (Henrard 2006) in *Ballantyne et al v Canada* (1993) and *Diergaardt v Namibia* (2000) concerning the impact of prohibition of the use of languages. In the first case the HRC was oblivious to the indirectly discriminatory impact of a measure and did not take into account concerns about indirect discrimination. However, relatively recently, the HRC has fully acknowledged the phenomenon of indirect discrimination (General Comment no 16 2005), in *Althammer v Austria* (2001) and in *Derksen v the Netherlands* (2001):

The Committee recalls that a violation of article 26 can also result from the discriminatory effect of a rule or measure that is neutral at face value or without intent to discriminate. However, such *indirect discrimination*_(emphasis added) can only be said to be based on the grounds enumerated in Article 26 of the Covenant if the detrimental effects of a rule or decision *exclusively or disproportionately affect persons*_(emphasis added) having a particular race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (...)” (*Althammer v Austria* 2001).

Even though the Committee remarks that a certain measure is neutral on its face and does not have any intent to discriminate, it concludes that this measure nevertheless results in discrimination because of its exclusive or disproportionate adverse effects on a certain category of persons. The HRC seems to use exactly the same model of review as in cases of direct discrimination and seeks to establish whether or not the ‘distinction’ (which must refer back to the disproportionate impact) is based on ‘reasonable and objective criteria’ (Henrard 2006). The European Court of Human Rights, even though initially very reluctant to recognize indirect discrimination, has recently expanded its non-discrimination jurisprudence by considering the issue of indirect discrimination in the case of *Thlimmenos v. Greece* (2000). However, the ECtHR is still struggling with the creation and application of the appropriate model of review to the extent that it seems to continue to question the concept of indirect discrimination. An example of this is the case of *Abdulaziz, Cabales and Balkanda* (1985) where the Court said that it would be virtually impossible to successfully rely on indirect discrimination, since it classified as irrelevant the disparate impact on certain groups (because of their typical characteristics) of, on first impression neutral rules (Henrard 2006). The Court tended to give a strong impression of not investigating thoroughly enough whether a certain measure could indirectly have discriminatory effects because it neglected the broader context determining the position of the people concerned when it assessed the alleged discriminatory treatment. (Schutter) The latter is

particularly problematic in cases of systemic discrimination, as is the case in regarding minorities like the Roma (*Buckley v UK* 1996). However, in the recent case of *Kelly v UK* (1996), the Court explicitly acknowledged “where a general policy or measure has disproportionately prejudicial effects on a particular group, it is not excluded that this may be considered as discriminatory notwithstanding that it is not specifically aimed or directed at that group.” (*Kelly v UK* 2001).

Progress was made in this direction by the admissibility decision in *Hoogendijk v the Netherlands* (2005), in the Courts reasoning with respect to the issue of ‘indirect discrimination.’ The Court indicated that “although statistics are not automatically sufficient for disclosing a practice which could be classified as discriminatory under Article 14” statistics could be used, as it is no longer ruled out that statistical evidence would do in order to establish a ‘*prima facie*’ case. In this case, the Court proposed a model to assess complaints of indirect discrimination by indicating that “where an applicant is able to show, on the basis of undisputed official statistics, the existence of a *prima facie* indication that a specific rule – although formulated in a neutral manner – in fact affects a clearly higher percentage of women than men, it is for the respondent government to show that this is the result of objective factors unrelated to any discrimination on the ground of sex.” (*Hoogendijk v. Netherlands* 2005).

Similarly, CEDAW/C relying on the extensive definition in Article 1 of the Convention has taken the position that the prohibition includes both direct and indirect discrimination by public as well as, private actors. CEDAW, General Recommendation 25 states (General recommendation No. 25 2005):

Indirect discrimination against women may occur when laws, policies and programmes are based on seemingly gender-neutral criteria which in their actual effect have a detrimental impact on women. Gender-neutral laws, policies and programmes unintentionally may perpetuate the consequences of past discrimination. They may be inadvertently modeled on male lifestyles and thus fail to take into account aspects of women’s life experiences which may differ from those of men. These differences may exist because of stereotypical expectations, attitudes and behavior directed towards women, which are based on the biological differences between women and men. They may also exist because of the generally existing subordination of women by men.

In other words, the States parties’ obligation is to ensure that there is no direct or indirect discrimination against women in their laws, sanctions, and other remedies and that women are protected against discrimination committed by public authorities, the judiciary, organizations, enterprises or private individuals in the public as well as, the private spheres.

It is important to point out that while the direct discrimination against women is easier to spot (such as the gender based violence ignored by State legislation) indirect discrimination may be present and closely linked to the issue of achieving substantive equality. This means that even though States adopt laws, which are not discriminately but equal in form, they do not achieve substantive equality because of the negative impact these apparently neutral rules have on a specific group. For example, having to work a certain amount of shifts is an obligation and right of all men and women; however, this legal provision certainly targets pregnant women or women with children in a negative way by creating a disadvantaged position with respect to the labour market. This active and passive requirement of non-discrimination in achieving equality must be comprehensively implemented by governments in order to fulfil the negative and the

positive State obligations arising from the rights proscribed in the international human rights instruments relating to freedom from discrimination. Furthermore, in fighting the overall discrimination of women providing of not only formal but also substantive equality for women it is an important tool. The elimination of direct discrimination and efforts to eliminate indirect discrimination against women will eliminate the root factors to many harmful practices that affect women., and will greatly improve the status of women if societies (United Nations Economic and Social Council 2000).

CONCLUSION

The CEDAW has produced the most comprehensive definition of gendered based discrimination against women and has offered all encompassing international legal standards in order to eliminate discrimination against women. The ECHR also in Article 14, provides prohibition of discrimination and the Court uses several criteria in its assessment whether there is discrimination in cases of individuals against states. However, it is very important to note that, in order to fight discrimination its important to achieve equality, *i.e.* substantial equality as theorized by many human rights authors. In order to do so it is necessary to establish the positive state obligation in the private sphere as well as, in the public sphere, as analyzed by the HRC of the ICCPR, *vis-à-vis* discrimination against women based on gender, and to differentiate between direct and indirect discrimination. These efforts will ultimately lead towards better legal regulation that ensures substantial equality of women; permits affirmative action; and strives towards promotion of status of women within societies.

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GENDER SENSITIVE POLICIES: ARE THERE ANY CHANGES IN THE REPUBLIC OF MACEDONIA FROM 1990 TO 2011?

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Abstract

One of the fundamental values of the constitutional order in the Republic of Macedonia is the principle of equality which guarantees the equal rights regardless of the gender. The recognition and the promotion of the gender equal opportunities are a necessary precondition for democratic development. In the past 24 years of the independence, the political parties in the Republic of Macedonia passed through various stages and changes, which include the attitudes of the parties towards women issues. This paper will research the capacity of the main political parties in the Macedonian bloc, SDSM and VMRO-DPMNE, to develop, adopt and implement gender sensitive policies. The research will be based on the analysis of the election programs regarding the Parliamentary elections in 1990, 2002 and 2011. The analysis will cover the development of the gender sensitivity in the election programs of SDSM and VMRO-DPMNE for the period of two decades.

Key words: political party; SDSM; VMRO-DPMNE; election program; equal opportunities; gender sensitive policies

INTRODUCTION

Political organizations are “forms of organized unions of citizens and groups established for the expression of their mutual interests and their requirements towards centers of the political decisions” (Vankovska 2007, 32). The most important political organization is the political party. The political party presents a social group that unites people in an organized and voluntary manner and in accordance with a certain ideology transformed into a party program, in order to win the government or to make impact. Political parties connect the citizens and the government, and also enable the citizens to participate in the governing and to make impact. The political parties “communicate with the citizens during the elections through the election programs. These programs emphasize the values, the aims, the world views, the principles etc.” (Milardovik 1996, 73). They are starting point of the party legitimacy, because if the party wins the elections and becomes the governing one, those programs will become reality through the decision making processes. The election programs as a “written document represent systematized, complete and theoretical approach to the issues that cover strategic, operative and current activities, relevant for the existence and the development of the country, as well as the welfare of the citizens” (Lazarevski 1994, 105).

With the election programs, political parties participate in the elections, and for that reason these programs contain the views and the attitudes of the parties for the current political issues. Generally, they are “strategically written – considering the current problems and questions of the political agenda in a particular country and in a particular election process, from the government position or the opposition” (Gabel and Huber 2000, 100). One of the fundamental values of the constitution in the Republic of Macedonia is the principle of equality, which guarantees equal rights regardless of the gender. The existence of the provisions regarding the gender equality in the Constitution shows the will of the political parties in the Republic of Macedonia to place the country in the company among the other democratic countries that recognized and promoted the equal opportunities as a necessary precondition for democratic development. According to the Article 2 from the Law on political parties in the Republic of Macedonia, a political party is a “voluntary organization of citizens, formed for realization and protection of the political, the economic, the social, the cultural and the other rights and beliefs, as well as for participating in the decision making process” (Official Gazette of the Republic of Macedonia no. 76/04, 2004). The same law regulates the equal gender participation in the party, so the political parties in their work must take care about the realization of the principle of gender equality in the availability of the functions in the political party.

In the last 24 years of independence in the Republic of Macedonia, the political parties were going through different stages and changes that covered their position towards women issues. This paper will research the capacity of the main political parties of the Macedonian block, Social Democratic Union of Macedonia (known as SDSM) and Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (known as VMRO-DPMNE) to develop, adopt and implement gender sensitive policies and measures. This research will be based on the analysis of the election programs of the parties regarding the first independent, parliamentary elections in 1990 and their election programs regarding the parliamentary elections in 2002 and in 2011. The analysis will cover the development of the gender sensitivity in the election programs of SDSM and VMRO-DPMNE for the period of two decades. The research will also show what kind of gender policies are proposed in these programs. According to the UNDP gender analysis, prepared for their gender in development program (United Nations Development Programme 2001, 62), the gender policies can be separated in four categories depending on the level of recognizing and addressing the gender issues. These categories are:

- Gender neutral policies – policies that aspire to involve certain groups of men and women in order to meet specific goals, but the resources, the responsibilities and the opportunities stay intact. Gender neutral policies do not disturb existing gender relations and do not change the structural status quo;
- Gender specific policies - policies that use the knowledge of gender differences in a given situation to respond to the practical gender needs of either women or men. These policies do not address the existing division of resources and responsibilities, but they usually have major impact, because of the targeting the specific gender.
- Gender transformative policies - policies which target either men or women (or both genders) and at the same time recognize the existence of the genderspecific needs and limitations. Their aim is to transform the existing distribution of resources and responsibilities in order to create a more equal relationship between women and men. Gender redistribution is the biggest challenge of all interventions because it is not focused only on providing the resources to the women in the existing social framework,

but also on reassessing the existing status quo (Center for Research and Policy making 2010, 7)

- Gender sensitive policies - policies which in the political processes of planning and decision making incorporate the perceptions, the experiences, the knowledge and the interests of the women and the men. At the same time, these policies integrate the gender perspective. The process of “gender mainstreaming placed the gender equality in the center of the decision making process, the medium plans, the programs, the budget, the institutional structures and the procedures” (Dokmanovic 2002, 18).

This analysis will show what type of gender policies were used in the election programs of SDSM and VMRO-DPMNE in the period of two decades. For this purpose, the following questions will be examined: Does the program contain the position of the party towards the women and their current role in the society?; Is there a part of the program that covered gender equality and / or discrimination?; Which part of the election program is dedicated to the women and / or addresses the issues that affect their lives?; How the election program addresses the issues related to the quality of women’s life and women’s human rights (for example the education, the employment, the fertility, the population policy, the demography, the status of the single parents, the health care, the social welfare, the family, the abortion rights, etc.)?; Does the election program represent the party position toward the representation of the women in the decision making process?; Does the election program offer a vision of the role of the women in the society for the future and what is it?; Does the election program offer specific measures and solutions to improve the position of women in the society? Finally, the analysis will show if the main political parties of the Macedonian bloc have the capacity to offer gender sensitive measures and policies and to actively participate in the achieving of the gender equality in the Republic of Macedonia.

Election programs of SDSM and VMRO-DPMNE for the elections in 1990

The election programs of the first parliamentary elections in the Republic of Macedonia of SDSM (in that time known as SKM-PDP) and VMRO-DPMNE are primarily determinate from the historical moment of the country. For that reason, the biggest part of these programs was dedicated to the questions related to the transformation of the old socialist system, the relations towards Yugoslavia, the neighbors, the national question etc. The election programs of both political parties are not available on line. Therefore, for the purposes of this paper, the hard copy of the book named “The Elections ’90 - Political parties in Macedonia (Electoral programs, electoral laws, candidates by electoral units) by the authors Timovski and Stefanovski will be used.

The League of Communists of Macedonia - Party for Democratic Change (SKM-PDP)

The election program of the political party League of Communists of Macedonia - Party for Democratic Change (SKM-PDP), today known as SDSM, is presented on 27 pages and it can be divided in an introductory part and four bigger parts. The introductory part of this election program doesn’t have a gender dimension. This part covered human rights and freedoms, as well as the international, religious and cultural tolerance, but the gender equality is not even mentioned in this part of the election program.

The first part of this election program covered the basic values promoted by SKM-PDP: the freedom, the rights and the solidarity. In the part that covered justice, SKM-PDP promoted equal life opportunities for the people and equality before the law (Timovski and Stefanovski 1990, 7), but unfortunately they did not mention the gender equality. Speaking about the openness towards all people, this party states that they are the party of all people who accept their program, regardless of the class-social, the ethnicity and the religious beliefs (Timovski and Stefanovski 1990, 8). SKM-PDP represent themselves as a political party completely open to the opinions and the initiatives of the young people, without showing their openness to different opinions, needs, attitudes and initiatives of the women. In the part of the election program named “We continue traditions of the *Krushevo Manifesto* and the decisions of ASNOM” - SKM-PDP highlight that Macedonia will strengthen as a country of equal citizens (Timovski and Stefanovski 1990, 9). As indicated in this part, SKM-PDP at this moment understands the equality only as the ethnic and the national diversity of the citizens. They do not mention the gender diversity as a part of the people’s equality. The part named “International, religious and cultural tolerance and respect – condition for stable relations in Macedonia”, stated in the same manner: “(...) our goals are: equality of the citizens before the law/without national and religious discriminations (...)” (Timovski and Stefanovski 1990, 13). Once again the gender equality is not mentioned as a goal of this party.

The gender equality is highlighted only once in this election program in the part named “Let's become a free, social and culturally integrated human society” where SKM – PDP emphasize that they will create a society in which the social gender equality will be guaranteed. Also they will create the material, the educational and the cultural conditions for the realization of the constitutional provision regarding gender equality (Timovski and Stefanovski 1990, 14). The part of the program that covered the economic and the social questions is focused on the creation of the requisites for the free market, the reform of the public finance system, the investment policies, the new employment opportunities, etc. The measures that SKM-PDP predicts in this part are gender neutral because they do not cover additional stimulations, education and further qualifications for the women in order to include them in the new economic system. The part of the election program named “Social peace and economic prosperity of Macedonia requires socially controlled demographic growth of the population” predicts discriminatory measures that will control the natural right of the reproduction. According to SKM-PDP, the rate of natural increase in Macedonia must be in accordance with the social and the economic opportunities. Otherwise, the social peace, the economic prosperity, the personal standard and the security will not exist. SKM-PDP highlight that they will protect the natural law for reproduction, in accordance with the possibilities for providing the worthy living and working conditions for the people (Timovski and Stefanovski 1990, 25).

The third part of the election program covers the culture, the education and the science. In this part, SKM-PDP highlight that they will stand for Macedonia as a country of multiculturalism in which the creative freedom of the youth will be respected and stimulated. According to this party, they will invest in the science and the education of the citizens, by stimulating the best staff and the specialists in the particular areas. Unfortunately, this part of the election program does not provide specific stimulations and investments in the capacity building of the women, in order to be better established in the cultural, the educational and the scientific sphere. In the part of the program that covers Macedonia and the European integration, the focus is on the question how to get closer to the EU by ensuring the civil rights and freedoms that are common in the developed countries (Timovski and Stefanovski 1990, 31). This part does not

include the role of the women or the necessity for achieving the gender equality in the process of EU integration. This election program ends with the declaration of the human rights in which only one from the eleven commitments for the Macedonian citizens is about the women. Only in the commitment number three, in one sentence it is noticed that: “all the people are equal before the law regardless of the national, the religious, the class and the gender identity” (Timovski and Stefanovski 1990, 34).

From the above mentioned it can be concluded that for the first independent parliamentary elections in 1990, SKM-PDP (today SDSM) had the election program that is not gender sensitive at all. The program does not state the position of the party towards the woman and their role in the society. In this program, the gender equality is mentioned only once in the section named “To become free, social and cultural human community” (Timovski and Stefanovski 1990, 14).

VMRO-DPMNE

The election program of the political party VMRO-DPMNE is presented on 14 pages and a major part of the program is dedicated to the current historical moment, as well as the status of the Macedonian country. The introductory part and the most of the parts of this program are gender neutral and VMRO-DPMNE addresses “The Citizens of Macedonia”. In this program, VMRO-DPMNE highlight that the best political system for Macedonia is the parliamentary democracy where the citizens will have all the human rights and freedoms. In this part, the commitment for gender equality is mentioned under the number seven (Timovski and Stefanovski 1990, 136), after the freedom of association, the freedom of speech and press, the freedom of religious beliefs, the right of private property etc.

This party stands for the European integration without mediation, through changes in the political system, the legislature, the economy and the science (Timovski and Stefanovski 1990, 137). The achieving of the gender equality, as a precondition for the European integration is not mentioned at all in this part of the program.

In the part of the program that covers the economic issues, VMRO-DPMNE highlight the sovereign Macedonian economy, the market economy and the privatization of the public property, the development of the small market etc. In their priorities, the party does not mention whether and how will it work on the stimulation, the education and the further qualification of the women, in order to ease their access to the proposed economic, scientific and technological development. VMRO-DPMNE predicts a new system of social welfare based on the principles of the free and equal chances for all people, as well as the justice and the inter-human solidarity (Timovski and Stefanovski 1990, 145). Once again, this party excludes the gender equality as an important segment in the development of the welfare state. The parts of this program that cover the education and the culture also do not include the women and their role in these social areas. The program of this party ends with the part named “Part of the VMRO–DPMNE’s program is already realized”. This part, as well as the whole election program refers only to the statehood, the awareness and the strengthening of the national feelings, and the commitments for sovereign and independent Macedonian state in confederative Yugoslavia.

From the above mentioned, it can be concluded that VMRO-DPMNE’s election program presented on the first independent parliamentary elections in 1990 is not gender sensitive as well. This program does not state the position of the party towards the woman and their role in society. The gender equality is mentioned only in the part of the election program

named “VMRO-DPMNE will fight against any totalitarian rule in the Macedonian state” (Timovski and Stefanovski 1990, 136), under the number seven.

The general conclusion about the Parliamentary elections in 1990 is that both political parties, SKM-PDP and VMRO-DPMNE, in their election programs usually offer gender neutral policies that did not change the status quo position. These political parties did not care about the incorporation of the perceptions, the experiences, the knowledge and the interests of both women and men in the planning and decision making process. For that reason we can conclude that their policies in that period are gender insensitive.

Election programs of SDSM and VMRO-DPMNE for the elections in 2002

In order to better understand the positive changes that are happening in the political landscape in the Republic of Macedonia in this period, we should keep in mind the tendencies of the Republic of Macedonia towards the European Union. The European integration process implies changes and harmonization of the Macedonian legislature in coordination with the EU law. For that reason, the awareness about the need for gender equality is constantly rising, as well as the promotion and the protection of the women’s human rights in every area of the social life.

Affected by the Stability pact and the Gender task force, on 1 March 2000, the Macedonian Women's Lobby (MWL) is formed as a group to apply pressure to the institutions. MWL unites women from different profiles as representatives from the non-governmental sector, different political parties, syndicates, media, Government, Parliament, local self-government, as well as women experts in different areas. The activities of this lobby have positive influence on the awareness raising of the women, members of the political parties. They become aware that at first and foremost they need to win the battle in their own party in order to introduce the positive discrimination and the quota for gender equality representation in the structures of the parties. This is the only way for the women to come up to the position to fight for the equal opportunities.

SDSM is the first political party that in 2003 introduced mandatory quota of 30% in their statute and in all the organs of the party. This happened a year before adoption of a new Law on political parties published in the Official Gazette of the Republic of Macedonia, no. 76/2004. This law, in the article four regulates that: “The political parties in their work should take care about the realization of the gender equality principle in the availability of the functions in the political party“. The Macedonian women's lobby, by using the influence of their members, also obtains a separate paragraph in the new Law on election of representatives, published in the Official gazette of the Republic of Macedonia, no. 42/2002, article 37, paragraph 3. This paragraph regulates that “in the proposed list of the candidates, each gender will be present with at least 30%“.

SDSM

The election program of SDSM for the Parliamentary elections in 2002 is available on line. The program consists of 62 pages separated in an introduction and 8 parts. In the introduction part, SDSM highlights their primary efforts which are including: the protection and the promotion of human rights and freedoms, as well as the fight for development of free, plural and judicial society that will provide equal opportunities for everybody. This introduction part does not clearly point out the commitment about respecting the gender equality.

The first part of this program is dedicated to the economy and the solution of the unemployment problem through particular economic and structural measures which are not gender sensitive. The program proposed certain reliefs for the employers if they hire a certain category of people like people with disabilities, but there are not any reliefs provided for the employers if they want to hire more women. This part also predicts financing of trainings for an additional qualification of the employees, but without any special or other stimulation for the women.

In the part of the program which is dedicated to education, science and culture, there are 18 strategic goals and none of them is about the positive stimulation of women for active inclusion in the educational process. Only the goal number two guarantees some equality such as “equal chances for entrance in the educational system and the realization of one of the basic human rights” (Election program SDSM. 2002). The changes that are predicted in this program do not cover particular stimulations for additional education and qualification of women in order to increase their number and their part in the culture, the education and the science.

In the part of the election program, which covers the social politics and the national program of SDSM regarding the fight against poverty, as their primary value SDSM highlights the social justice i.e. the creation of equal opportunities for citizens through the education, the employment and the social welfare? In their fight against poverty, SDSM does not target the women as a separate vulnerably category, although “the data from the UN say that women primarily are poorer than men because they do not own any land, but they work on it; they do not possess capital, but work more for less money, especially having in mind the free labor, which in the world history is identified with slavery work” (Slapsak 2003, 312). The separate fragment in the part about social politics is the part named “Family in the spotlight”, which presents the family as a marital union, parental union, social union and institution. The program that predicts improvement in the economic and the social status of the family does not mention the role of the woman as a wife and a mother at any point. We can notice that this part of the political program is gender neutral because it refers to the members of the family in general and the single parents. Some of these points refer to children, as well as the old people, but there is not a point that separately refers to women as part of the family.

The part named “Health care” predicts social democratic measures that will provide health care on the principle of the equal rights for all citizens (Election program SDSM. 2002). For that purpose, this political party proposes tax exemption in the basic package of the health care for several categories of people, among which are also women in the pregnancy. This measure can be considered as gender specific policy because it is designed for women in order to satisfy their specific needs more effectively.

In the part dedicated to the political system, SDSM offer their vision about fair and democratic elections, government that will cost less, protection of the human and majority rights; respect for the rule of law; modern and non-party administration; decentralized and modernized local self-governance; independent judicial system; effective fight against corruption; freedom of media; freedom of religion and separation of the church from the state; support for non-governmental organizations for development of the civil society, etc. Unfortunately, all these politics are gender neutral because they are about the citizens of the Republic of Macedonia. There are no specific measures for women or their role in the parts of the political system mentioned above.

In the part that covered political system, SDSM predicts “Gender equality” as its basic postulate. In this part SDSM states that they are the first party in the Republic of Macedonia that

stands for achievement of the real gender equality and introduction of the so-called positive discrimination as a method for better representation of the women in politics. This party reviews the principles for gender equality through the realization of the women rights as an integral part of the human rights; equal opportunities for men and women; equal access and possibilities for employment; elimination of the all forms of violence against women; providing opportunities for the women to be in a decision making position (Election program SDSM, 2002). Despite the fact that this part is about gender equality, not a single word is written about equal allocation of the resources, the responsibilities, the opportunities, or about changing the position of women in the society.

After the analysis of the election program of SDSM, for the Parliamentary elections in 2002 we can conclude the following: There is greater gender sensitivity in this program than in the program which they have offered in the first independent elections in 1991. However, this comes more as a result of the tendencies of the Republic of Macedonia to the EU, which require changes to the Macedonian law and its harmonization with the EU law, rather than as a result of changes in the awareness, the attitudes and the priorities of the party. Their commitment to the gender equality in this period is mostly declarative. This can be seen from the fact that SDSM believes that commitment to equality and respecting the fundamental human rights automatically include the gender equality, as well. As a result of that, this party does not mention the gender equality separately in their election program. The position of the party towards women and their role in society can be seen best through the part devoted to the political system, where the gender equality is listed in the last chapter.

VMRO-DPMNE

The election program of VMRO-DPMNE for the Parliamentary elections in 2002 is not available on line. Despite the author's efforts and demands addressed directly to the party, this election program was not provided. Therefore, for the purposes of this paper the research "Women in politics - Gender analyzes of the programs of political parties" conducted in 2002 from the women's civil initiative *Antiko* will be used. This research covers the opinion of the parties related to gender issues. According to the research, VMRO-DPMNE highlights that the gender equality is enumerate among the basic values of the party and the party supports gender equality through the building of partnership. For VMRO – DPMNE, the treatment of the women as members of the opposite sex and second-class citizens is unacceptable. They also state that it is necessary for the women to have equal treatment with maximum respect of their freedoms and rights. According to them, disrespecting the equality between women and men leads to violation of the human rights. VMRO-DPMNE highlights that the gender equality is listed as one of the basic commitments of this party and one paragraph of the program for the Parliamentary elections in 2002 is dedicated to the gender equality. In the rest of the program, women's issues are covered indirectly. This party supports women's active participation in political and public life and decision making processes. They also stand for protection of women from domestic violence, as well as protection from abuse, coercion and torture of the husbands (Antiko 2002, 10). In this election program, the rapid population growth of the certain entities, VMRO-DPMNE treats as a gender issue. Therefore, they consider that an adequate population policy is required. The protection of the family as the base of the community is one of the basic values for this party. In this program they proposed new system of social care which will be guaranteed by a new family legislature. According to VMRO-DPMNE, the violation of the women's rights and

the enabling of the gender inequality are opposed to the civil values of the European countries, and their approval will separate the Republic of Macedonia from the EU standards. This is the reason why the obstacles for women in the state and social hierarchy are unacceptable for this party. From the abovementioned, it can be concluded that in the election program of VMRO – DPMNE for the Parliamentary elections in 2002, the women issues are covered mostly declarative. The party uses various formulations for supporting the gender equality formally, but without specifying concrete measures for successful realization of these efforts. The general conclusion about the Parliamentary elections in 2002 is that SDSM and VMRO-DPMNE have election programs that are more gender sensitive from those that were represented in 1990. Unfortunately, these changes do not come as a result of the changes in attitudes and awareness of the parties, but as the result of the harmonization of the legislation of the Republic of Macedonia with the EU legislation. Therefore, the party programs rather suggest gender neutral than gender specific policies. In this period, according to their election programs, SDSM and VMRO-DPMNE do not recognize the gender specific needs of the women so they do not offer any gender transformative policies.

Election programs of SDSM and VMRO-DPMNE for the elections in 2011

In 2004, women MPs won the battle for the legalization of 30% of the women representation in all the structures of the parties. Within the new Law on political parties from 2004, the Article 4 regulated that the political parties in their action must take care of the achievement of the principle of gender equality in the availability of all positions in the political parties. However, in order to win more seats for the women in the Parliament, the Macedonian Women's Lobby worked hard together with the women MP's to introduce new, better and upgraded provision for the women representation in the Parliament. This was made through the codification of all election laws in a new Election Code. The new provision in the Article 64, paragraph 5 of the Election Code, published in the Official Gazette of the Republic of Macedonia No. 40 from 31.03.2006, stated that "in the submitted list of the candidates for MPs and candidates for members of the Municipality Council, in every three seats at the list at least one belongs to the under-represented gender". Until the Parliamentary elections in 2011 there are not any major changes in the gender sensitization of the political parties, so this elections were held in the political conditions mentioned above.

SDSM

The election program of SDSM for the Parliamentary elections in 2011 is available on line and is consisted of 135 pages separated in 5 parts. In the introductory part, this party addresses the citizens and friends, highlighting the values that they will fight for: freedom, equality and solidarity. The call of the Prime Minister Candidate of this party, Ms. Radmila Sekerinska presented in the introductory part had gender dimension: "therefore, I ask you to review our projects for improving the lives of workers, entrepreneurs, farmers, redundant workers, administration, patients, young, women" (Election program SDSM 2011, 1). For the first time in the introductory part of the election program of this party, women are mentioned as a separate category.

The first part of this program named "Jobs and Living" covered the economic investment and the social policy measures that this party predicts. Unfortunately, the measures that predict easier access to the funds are gender neutral. The goal of the economic policies

presented in this program is to preserve the existing and to create new jobs, in order to improve the livelihoods of the citizens. The special measures for achieving these goals are provided, but, unfortunately, all of them are also gender neutral. These measures do not highlight the needs and the possibilities of women as a specific category of employees.

The part named “Labor market” covered the possibilities for new jobs and better job opportunities. In this part, priority is given to the employment policy, especially to the possibilities how to provide jobs that will enable harmonization of the professional and family life (Election program SDSM 2011, 52). This measure has gender sensitive elements and will have direct impact on the professional and family life of the women in the Republic of Macedonia. Also, for the first time, the needs and the opportunities of the women related to their professional life are taken into account in this program.

In this election program, SDSM indicates the financial possibilities of the Republic of Macedonia as an EU candidate country, as well as the policies that can be realized with the support of the EU funds. All of the eight provided policies have indirect impact on the women. These policies predict: development of specific skills among the unemployed, retraining and additional qualification of the unemployed, various trainings and support of the labor mobility. Direct impact on the women has the fourth policy that provides direct financial assistance and support through trainings for reactivating of the young mothers in the labor market. This gender sensitive measure provides support for the young mothers to find an employment. The project will provide financial support for the employers, and the young mothers will be able to use different programs for training and additional qualification in order to strengthen their capacities (Election program SDSM 2011, 53). This measure is also gender specific, because it directly satisfies the specific needs of the women. The part of the program that refers to the inclusion of the vulnerable groups in the labor market includes gender sensitive solutions. These solutions provide subsidization for new employments of the married couples with three or more children, parents of the children with disabilities, single parents and victims of domestic violence. However, besides the sensitivity, these policies are gender neutral because they do not refer to any gender particularly. The part of the election program that covered fair and well-paid job, also provides gender sensitive measures. For example, SDSM states that they will make gender assessment of the entire labor legislation, with particular dedication on the protection of the women workers (Election program SDSM 2011, 58). Among the other measures, they provide new specific law on mobbing protection and flexible working hours for the employees in the public administration. The explanation for the flexible working hours is the possibility of the employees to spend more time with their children and family in the afternoon. The above mentioned measures are gender neutral, because they refer to both genders, but at the same time they are gender transformative, because they enable and motivate, not only the mothers, but also the fathers that work in the public administration to spend their free time with the family.

In the part of the election program that refers to the social policy, SDSM consider that the state should protect people from the risks as poverty, exploitation, discrimination, unemployment, etc. This party believes that the vulnerable groups and the people that are on the margins of the society must have equal opportunities for their further social inclusion. SDSM predicts social protection for the citizens who are in the position of social risk, regardless of their nationality, ethnicity, religion or gender. The above mentioned measures are sensitive, but gender neutral, because they refer to both genders. In the part of the election program that refers to the education, the health and the youth in Macedonia, SDSM notes that “the young people need a modern society without discrimination in any field, a society that will break the existing

stereotypes and prejudices and that will respect the diversity” (Election program SDSM 2011, 75). This part covered all levels of education and for all of them special measures is provided. These measures are gender neutral, further and special benefits for education and additional qualifications of the women are not provided. In this manner, the number of women, as well as their participation in the education and the science could not be increased. This part also covered the health care and it provides greater investment in the preventive medicine in order to improve the health of the vulnerable population groups as the women in the reproductive period, the infants, the preschool children, the school children and the youth, the economically active population, the elderly people, the people with disabilities, socially disadvantaged groups, etc. (Election program SDSM 2011, 89). One of the thirteen specific measures predicts providing adequate health care for the women during the pregnancy. This measure is gender specific because it refers only to the needs of the women.

For the first time in their history, SDSM devotes a special part of their election program to the women. This part named “Free and powerful women” is gender sensitive and provides preparation of the Strategy and the Action Plan for the fight against discrimination of the women in the employment relations based on the pregnancy, the maternity leave and the motherhoods. This part also provides legal changes that will lead to increased sanctions for this types of discrimination, intensified and specialized supervision, mandatory informing of the expecting mothers about their rights and free legal assistance to vulnerable groups of women in the disputes which cover this types of discrimination (Election program SDSM 2011, 107). In order to achieve the above mentioned goals, twelve gender specific and gender transformative measures are provided. These measures include the realization of the principal “more than two women in the Government of the Republic of Macedonia”, the implementation of the active measures for the employment of the women over 45 years; simplification of the prompt procedures for maternity leave payment; providing a safe and dignified childbirth through the reconstruction and the equipping of the existing maternity hospitals in Macedonia; putting at least one oral contraceptive on the positive list of the National health fund; making physical contraceptive cheaper through lower taxation; introducing field gynecological ambulances in the rural communities; providing cheaper or even free abortion in the state hospitals for the women - welfare recipients; reviewing all of the books for primary and secondary school that might promote discrimination, stereotypes or prejudice about the relations between men and women, which is against the values and the norms of the constitution of the Republic of Macedonia; opening new shelter centers for the domestic violence victims; introducing flexible working time for a number of kindergartens (second and third shift) according to the needs of the working parents in the municipalities; formulating measures for increasing commitment and field operations of the relevant social and other services which work with domestic violence victims (Election program SDSM 2011, 107).

After the analysis of the election program of SDSM, for the Parliamentary elections in 2011 we can conclude the following: Certain progress of this party in the gender sensitization is visible, especially when compared to previous elections. Progress can be noticed in the increasing number of the gender sensitive measures and policies, as well as in the introducing of some gender transformative policies, which has never been noticed before. This election program, for the first time presents the position of the party towards women, not just in one particular part of the program, but also through the several measures provided in the other parts of the program.

The election program of VMRO – DPMNE for the Parliamentary elections in 2011 is available on line and is consisted of 278 pages, separated in 13 parts. The introductory part of this program refers to the most significant achievements so far, as well as the strategic priorities and the objectives for the forthcoming period. In this part, the President of the party, Nikola Gruevski, addresses the citizens, which makes this part of the program gender neutral. In the first part of the program, VMRO-DPMNE indicates that the strong economy is the basis for everything; therefore the economy is one of the top priorities of this party. Unfortunately, all of the provided measures and policies in this part are gender neutral and they do not highlight the role of the women in the economy. In the part that refers to the business environment and the competitiveness, VMRO-DPMNE emphasizes that they are continuously working on the promotion of the business environment. According to them, “the favorable business environment leads to more investments, more new job vacancies and increase the quality standard of the population” (Election program VMRO-DPMNE 2011,29). The measures provided in this part of the election program are gender neutral because they do not refer to any specific gender. They are not gender sensitive as well, because they do not provide any additional motivations or benefits for the women that want to be included in these new economic flows. The part of the election program named “Investments” highlights the importance of the investments for new job opportunities and rapid economic development. Therefore, “growth the domestic investments and attracting foreign direct investment remain the two key goals for this party” (Election program VMRO-DPMNE 2011, 52). VMRO-DPMNE works on the promotion of the Republic of Macedonia as an investment destination, their plan is to recruit economic and local promoters who will work on this promotion. Unfortunately, this measure is not gender sensitive because this party does not propose specific stimulations for recruitment of the women promoters. In the part of this program which refers to the equal opportunities for all, VMRO-DPMNE noted that they will take care of the unemployed, the retirees, the social vulnerable groups, the orphans, the single mothers, as well as of all those who remained on the margins of the society due to various reasons (Election program VMRO-DPMNE 2011, 158). The measures and the projects that VMRO-DPMNE predicts in this part are mostly gender neutral. They refer to providing a dignified life for retirees, social partnership, protection of the old and the people in need, protection of the people with disabilities, child care and protection, as well as equal opportunities for all (Election program VMRO-DPMNE 2011, 165). As far as the last measure is concerned, this party includes the welfare recipients, the vulnerable groups, the asylum seekers, but unfortunately does not include the women as separate category.

The abovementioned part of the program, named “The land of equal opportunities for all”, covers the Strategy for Demographic Development of the Republic of Macedonia 2008-2015, where the role of the family as the basis for everything is a highlight. This part proposes “the right to maternity leaves for the fathers or the adoptive parents for the period of one month after the birth, in order to help the mother immediately after the labor, as well as to encourage the equal use of the parental leave for both parents” (Election program VMRO-DPMNE 2011, 165). This gender sensitive measure will lead to gender transformative policy. This part contains another gender sensitive measure named “Equal opportunities” which provides strengthening the fight against all forms of discrimination through the implementation of the Law on prevention and protection against discrimination, as well as the established Commission for Protection against Discrimination (Election program VMRO-DPMNE 2011, 167). “Macedonia, a Country

of Knowledge” is the part of the election program that covers the policies of this party for all levels of education. This part provides gender neutral and gender insensitive policies, because they do not provide additional or special benefits for the education and additional qualifications for the women. They also do not take into account the women’s specific needs, possibilities and opportunities, in order to increase their number and their part in the education and the science. The analysis of the program of VMRO-DPMNE for the Parliamentary elections in 2011 shows some regressions in the gender sensitization as opposed to their programs for the previous election cycles. This can be seen in the low number of provided measures and policies which cover the gender issues. The entire focus in this program is on the economy, which disables to estimate the position of this party towards the women. In the election program, the issues that affect the women’s life are intertwined with the other issues, but this is not common practice. A special section dedicated to the women does not exist in this program of VMRO-DPMNE. This program has only one gender transformative policy which refers to the right to parental leave for the father or the adoptive parent and this is absolutely positive. The general conclusion about the election programs for the Parliamentary elections in 2011 is that there is a certain progress in the gender sensitization compared to previous election cycles, but unfortunately there is a certain regress as well. The progress can be noticed in the election program of SDSM, because they provide more gender sensitive measures and policies compared to their previous programs, while in this election program of VMRO-DPMNE, it can be noticed that there is a regression in the provision of gender sensitive policies and measures compared to their previous programs. However, the fact that for the first time in these election programs SDSM and VMRO-DPMNE offered gender transformative policies should be emphasized. If these policies convert into concrete measures and solutions that will be implemented, the certain gender equality in the Republic of Macedonia will be achieved.

CONCLUSION

After the qualitative analysis of the election programs of SDSM and VMRO-DPMNE at the Parliamentary elections in 1990, 2002 and 2011, we can conclude the following:

At the first independent Parliamentary elections in 1990, both political parties had election programs that are not gender sensitive. In their programs they do not take into consideration the perceptions, the experiences, the knowledge and the interests of the women and the men in order to offer the measures and the policies that would be the best for both genders. These parties usually offer gender neutral policies that do not have the influence on the changing of the gender status quo position in the society.

In 2002, significant gender sensitivity can be noticed in the election programs of SDSM and VMRO-DPMNE. This change is a result of the tendency of the Republic of Macedonia to become an EU member state, which requires a change of the Macedonian legislation and its harmonization with the EU legislation. It should be noted that these changes are not a result of the greater gender sensitivity of the parties or as a result of their changes in the awareness, the attitudes and the priorities. The commitments to the gender equality in these programs are mostly declarative, which can be noticed from the fact that both of the parties look at the gender equality only as an integral part of the fundamental human rights. Therefore, they do not mention the gender equality separately in their programs. SDSM and VMRO-DPMNE mostly offer gender neutral policies and unfortunately they do not recognize the gender specific needs, so for these Parliamentary elections they do not offer any gender transformative policy.

It can be noticed that the election programs of SDSM and VMRO-DPMNE for the Parliamentary elections in 2011 are quite different in terms of gender sensitivity. We can see a positive trend and increased gender sensitive measures and policies in the election program of SDSM when compared to their previous programs, while in the election program of VMRO-DPMNE negative trend in terms of gender sensitivity exist. The progress of the both parties can be seen in their attitudes towards the gender equality issues and the fight against discrimination, as well as in the actualization of the specific issues that affect women. However, according to their election programs, the progress is bigger at SDSM than at VMRO-DPMNE. In 2011, the both parties for the first time offer gender transformative policies, which recognized the gender specific needs and at the same time tended to transform the existing gender relations.

The final conclusion of this paper is that in the period of two decades there is a positive trend of capacity building and awareness raising about gender equality in the both political parties. They started to develop, adopt and implement gender sensitive measures and policies, and that trend should be highlighted and developed in the future by offering more gender transformative policies in the election programs, because this is the only way to achieve full gender equality in the Republic of Macedonia.

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PUBLIC DIPLOMACY OF WESTERN WORLD COUNTRIES AS A TOOL OF DEMOCRACY PROMOTION

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Abstract

Public diplomacy is an effective, steadily evolving foreign policy tool used all over the world. In the context of current global trends promoting one's own values and the way of thinking as an objective of public diplomacy is of special interest. Democracy and human rights are among the main values of the Western countries and are promoted by them through a wide range of measures aimed at foreign country's authorities as well as foreign public including different target audiences. This paper addresses the foundations of public diplomacy activity aimed at democracy promotion abroad. It states that the value of democracy is advantageous to public diplomacy of the West and allows it to hold leading positions offering an attractive model of development for the rest of the world. Democratization measures in conditions of gradual development of democratic institutions as well as in crisis situations are considered.

Key words: public diplomacy; democratization; democracy promotion; civil society

INTRODUCTION

Current processes of globalization and informatization are conducive to enhancing the role of individuals in foreign policy making. Relations among states shift from closed intergovernmental negotiations to the open dialogue in which everyone can participate. Under such circumstances, international actors pay more and more attention to communication with foreign audience within activity designated by the term “public diplomacy”. The objectives of one's public diplomacy may be various – from the presentation of the country and its advantages up to spreading of its own view of the problems and the ways of their resolving. Taking into consideration the fact that consolidation and support of democracy has been generally recognized reference point of the West for quite a long time democratic values have direct impact on the foreign policy including public diplomacy of Western countries and organizations. Hence the objectives of this research are as follows: to trace the foundation and sources of democracy promotion within public diplomacy; to define the place and efficiency of foreign public diplomacy measures in the process of country's democratization; to investigate appropriate ways of influence of the Western public diplomacy on the formation of democratic institutions.

DEMOCRATIZATION AND FOREIGN POLICY

Democracy is one of the most important political values and the criterion of expediency of political activity. Promoting democracy in the world is the basic objective of the foreign policy of Western countries declared in a number of official documents. In particular, EU member-states in provisions concerning external actions of the Treaty on European Union consider democracy as a major principle followed by the EU on the international scene. Among the aims of EU foreign policy, consolidation and support of democracy, the rule of law, human rights are placed immediately after the safeguarding of Union “values, fundamental interests, security, independence and integrity” and precede economic, peacemaking, and other objectives, not less important (TEU 2010, art. 21).

In the USA promotion of democracy in the world is also stated in a series of legislative documents. The law states that promoting freedom and democracy in foreign countries is a fundamental component of US foreign policy. It also defines corresponding units and their tasks within the State Department (22 U.S.C. § 8211). In 2004, the law ensuring promoting democracy and human rights by the President and the Department of State at international organizations was adopted (Waller 2007, 503). Throughout the last century the representatives of two dominant international relation theories – liberalism and realism – considered this problem. Starting with Woodrow Wilson, liberals entertain an opinion that political regime has direct influence on foreign policy and only democratic states can peacefully coexist for a long time, successfully cooperating in different spheres. Thus, the expansion of democracy is first of all advantageous for the USA and necessary to provide their national security. The position of realists is quite opposite. In their opinion, capacity building and forming alliances with powerful states (including authoritarian ones) is of paramount priority, and they consider democratization of other states to be a threat for the US international domination (Doyle 2000; McFaul 2009, 12). Despite the fact that ideas of realism are influential, the US government policy over the past decades firmly demonstrates adherence to the idea of spreading democracy in the world. Michael McFaul, one of the prominent scholars in the field of democratization and the former US Ambassador to Russia believes that democracy as a constitutive norm of the West today is stronger than ever before and is equally important for foreign policy of the Western states on the both sides of the Atlantic (McFaul 2004, 148; Magen and McFaul 2009, 2). In fact, the necessity of democratization can be inferred from the standpoint of realism since it facilitates achieving many pragmatic aims in various spheres. In particular, the level of democracy closely correlates with economic development, social welfare, stability in the region while problems caused by authoritarianism in the age of globalization gradually spread to other countries and regions.

It should be pointed out that democracy is a complex, multi-faceted phenomenon and that many factors influence its development. All this does not allow us to assert that there exist certain universal rules which would guarantee success of the process of democratization and besides failures en route create favorable basis for spreading alternative theories about advantages of stability, traditional ways of ruling, and “strong power”.

PUBLIC DIPLOMACY INFLUENCE ON THE PROCESS OF DEMOCRATIZATION

Investigations of democracy on the example of various societies and within a wide temporal range made it possible to define a number of factors and conditions (foreign and domestic, objective and subjective) which being caused by activity or inactivity of the people can influence the establishment of country's democratic system. Many of them are directly bound with certain characteristics, values and peculiarities of society present in this or that state. Among such preconditions one should primarily point out well-developed civil society, outnumbering middle-class, high level of political culture, mass education, rationalistic world outlook (Baurmann and Zintl 2006; Колодій 2009, 55). The above-mentioned factors are also closely connected with political and economic preconditions of democracy and as a rule cannot exist without each other.

Besides these preconditions, scholars also distinguish other characteristics important for the consolidation of democratic regime in a long-term perspective. In particular, we mean intellectual capacities of citizens to perform the tasks set by democracy; psychological characteristics such as ability to limit oneself (which is especially urgent when a person comes to power), a desire to come to compromise and reach a consensus; openness to cooperation as well as an ability of society to defend democracy against domestic and international threats (Cohen 1971, 105; Schmitter and Karl 1991).

It is obvious that creation of such society is a complex and long-lasting process for which foreign influence may play an important role (this idea has been firmly maintained in numerous investigations of late (Thiel 2010, 18; Lavenex 2013). The whole spectrum of such broad-scale influence in the period of globalization and the Internet is difficult to estimate in one way. Activity of governmental structures and appropriate non-governmental organizations of Western democracies in this direction designated as public diplomacy is the subject of our interest.

As it has already been mentioned, democracy promotion in the world is one of the main officially defined aims of public diplomacy of the USA and EU Member States. For instance, in the American legislation concerning rendering assistance to other countries it is stated that among the means of establishing democratic and free society there are international exchanges and other forms of public diplomacy. Support of non-governmental organizations, independent mass media, etc. stipulated by the law are directly related to public diplomacy (22 U.S.C. § 2295). Spreading freedom, democracy and human rights is included in the list of tasks of the Department of State in the sphere of public diplomacy (22 U.S.C. § 2732). Similar judicial provisions for support of civil society development for the sake of democratization exist in European countries and the EU.

However, problems of correlation of democratization with other public diplomacy objectives, which reflect more pragmatic interests of these countries, and real content of such an activity, which has direct impact on its effectiveness, remain debatable. In this context, one may state that the idea of democratization is advantageous to public diplomacy of the Western countries and allows them to hold leading positions in this sphere throughout many decades. This is conditioned by the strategic need for the state to have and advance within public diplomacy certain universal ideas and values understandable and appealing to a broad foreign audience (Nye 2004, 11).

Absence of this idea allows us to speak of achieving only fragmentary results and tactical goals. For instance, paying great attention to and exploiting huge resources for foreign

informational activity Russia was not able to create such an idea basis (Fominykh 2010, 75). Its concepts of “Russian world”, laudation of imperial and Soviet past appeal only to a very limited foreign audience.

Application of ideas of democracy for the aims of public diplomacy creates not only advantages for the state but imposes on it certain obligations and limitations. To promote democracy the state as such, should comply with high democratic standards. Its behavior on the international arena as well as openness and transparency of the very efforts of spreading democracy are also important. Any deviations from democracy (as an example mass surveillance on the Internet, violation of the rights of prisoners, brutal suppression of peaceful protests) or application of hard power tools shake confidence in public diplomacy and add arguments to ideological opponents of democracy.

On the other hand, presence of high democratic standards in the state creates for it unprecedented possibilities for involving into activity within public diplomacy broad range of non-governmental actors, including civil society organizations, social activists, prominent persons, and young people with the aim of spreading democracy. In modern conditions, this factor is the main thing for increasing efficiency of public diplomacy and its transition to a qualitatively new stage (Scott-Smith and Mos 2009, 227).

DEMOCRATIZATION MEASURES WITHIN PUBLIC DIPLOMACY

Measures of communication with foreign audiences for the sake of democratization depending on the conditions in which they are carried out can be divided into two groups: measures in conditions of gradual development of democratic institutions and in the period of crisis. In the former special attention within public diplomacy of Western states is paid to the support of non-governmental organizations. Major instruments for this purpose are awarding grants, organization of studies (e.g. concerning defense of their rights including electoral ones, influence on state authorities, organization of activity, achieving definite aims in various spheres, winning over persons with the same views, creating network structures, etc.), meetings, visits abroad to gain experience. Other important non-governmental target groups are independent media, analytical and research structures and of late – individual social media activists and bloggers (Dale 2009).

In particular, in the United States USAID, the Department of State, the National Endowment for Democracy, as well as other structures directly or indirectly connected with the government are engaged in financing such an activity. For instance, the National Endowment for Democracy, an organization established by US Congress in 1983, carries on activity in 90 countries of the world. Only in 2012 it awarded more than 60 grants (rating from 15 to 359 thousand dollars) to Ukrainian non-governmental organizations, mass media, analytical and academic institutions. Other Western countries such as Germany, Poland that act both independently and within the framework of EU institutions and agencies are active in this sphere in Ukraine. For example, in 2013 setting up of the European Endowment for Democracy was initiated by Poland. Its statute stipulates activity in the form of financial support of “pro-democratic movements and other pro-democratic actors in favor of pluralistic multiparty system on democratic ground; social movements and actors; civil society organizations; emerging leaders, independent media and journalists” (European Endowment for Democracy 2012). Hence, target audience of such assistance is a broad range of civil society institutions. Besides, the Endowment carries on a limited number of their own measures, such as the organization of

seminars, studies, publications, training etc. In the previous period for such purposes there was functioning the European Instrument for Democracy and Human Rights the budget of which in the period from 2007 to 2013 exceeded 1 billion Euros (Гаврилова 2013, 34).

Such activity of the above mentioned and similar structures is not always positively apprehended by the authorities of former non-democratic countries that declared adherence to democracy. Sometimes, such authorities resort to banning or limiting the activity of foreign funds and agencies, as well as internal NGOs seeking their help. In this context it is necessary to mention Russian reaction to “Orange revolution threat”, namely closing of regional centers of British Council across Russia in 2007-2008 or adopting of amendments to legislation of the Russian Federation on regulation of activity of non-commercial organizations functioning as foreign agents (Orlova 2009; Reshetnikov 2007). Similar legislative innovations have become one of the main reasons for escalation of Euromaidan protests in Ukraine (Civic Solidarity Platform 2014). As an argument for such measures the ruling regime adduces struggle with interference in the internal affairs, defense of sovereignty, national security and territorial integrity. It should be mentioned that each separate case is specific and that the stand taken by the country’s authorities is not always groundless. However, such limitations of foreign support for the development of their own civil society are not peculiar to genuine democratic regimes. Western democracies should take into account the possibility of controversial apprehension of foreign support for democracy by the authorities and target audience while implementing public diplomacy.

Another point of criticism of public diplomacy of the West is inadequate efficiency of efforts in this sphere. Investigations do not give a simple answer to efficiency of measures for promoting democracy. The countries taking such measures and deviating frequently from democratic standards in their home and foreign policy still consider their own system to be quite universal to serve as a pattern for others (Carothers 1999, 63). Here we also mean insufficiency of taking into account the results of the measures with the aim of their further improvement. Similarly, public diplomacy with the aim of promoting democracy is often fragmentary focusing only on some aspects such as elections and changing its intensity depending on political situation (Гыцева 2011).

Of certain interest is the problem of limited number of people involved in measures promoting democracy. Such measures are primarily aimed at supporting non-governmental organizations. As a result and with the support of Western funds the so-called NGO-cracy is constituted. It means that a narrow layer of activists involved in the activity of NGOs (4-5 percent of population) are closely linked with the West and capable of exerting influence on public policy though they are cut from the society as a whole (Lutsevych 2013, 2). Situation in Ukraine is illustrative of this: quite obvious socio-economic and political advantages of the EU remain unnoticed by the large part of the population while mythical threats from the West (“eurosodomy”, corruption of morals, NATO’s aggressive expansion) are popularized against its background. This is backed by the efforts of Russia’s information activity and certain internal organizations. Although it is public diplomacy of Western countries targeted at the broadest mass audience that can in part improve situation in Ukraine and contribute to eradication of rudiments of post-Soviet way of thinking, typical of which are passiveness, distrust to power, disappointment in ability to change something, fear of changes. Quite different arsenal of measures promoting democracy is required in the crisis situation during which there is aggravation of contradictions between authorities disposed to authoritarianism, on the one hand, and democratically minded activists or non-indifferent people – on the other hand. Significant

election fraud, flagrant violation of human rights and freedoms, rough and non-adequate actions of authorities may serve as a trigger for mass protests (Mitchell 2012; Beacháin and Polese 2010). A wave of “color revolutions” and intensification of protest movements all over the world demonstrate the need for quick and coordinated response of the supporters of democracy (both governmental and non-governmental structures in the country and abroad) without which the process of gradual democratization in a definite country may abruptly stop or return to authoritarianism.

Besides direct pressure on the government from Western countries and international organizations, measures of public diplomacy are also important in such crisis periods. Among them one should point out immediate contacts with protesters and their leaders, promulgation of decisions, issuing declarations making a protest and its requirements legitimate, condemning non-democratic actions or inactivity of the government. For example, visits of US Senator John McCain, Assistant Secretary of State Victoria J. Nuland, High Representative of the EU for Foreign Affairs and Security Policy Catherine Ashton and their communication with ordinary Ukrainian protesters were of great importance for the Euromaidan (Woehrel 2014).

Of vital importance and as a stimulus for the participants of protests is support of their actions by the states, international organizations, top-ranking officials, parliaments conducted in the form of officially adopted statements and decisions (including targeted sanctions against officials responsible for violations), as well as informal appeals via media, social networks, blogs, etc. Non-governmental actors, celebrities, informal communities and ordinary people from all over the world actively join such public diplomacy aimed at democracy promotion (Tomkiw 2014). These processes in Ukraine in particular demonstrate increasing the number of international political actors and effectiveness of the concept of new public diplomacy.

CONCLUSION

For quite a long time support of democratization has become a declared fundamental principle of foreign policy of Western countries. Promotion of democracy in the world is necessary for the West both for preserving their own leading position and achieving definite pragmatic aims. Democracy as universal idea alongside with freedom and human rights is dominant in public diplomacy of the USA as well as EU countries and is attractive to foreign audience. Application of the idea of democracy in public diplomacy imposes on the state certain limitations and responsibilities to adhere to democratic standards in internal and external policy. Deviation from these standards does not remain unnoticed and has negative impact on the efficiency of public diplomacy, whereas adherence to them allows the state to win over a wide range of non-governmental actors inside the country and abroad and make them one's followers. Efficient public diplomacy with the aim of democracy promotion cannot be one-sided. It should estimate effectiveness of the activity, take into consideration national peculiarities and comprise a series of measures covering a wide range of target audiences. Concentration exclusively on the institutions of civil society is important but not sufficient for establishing stable democracy. In this context, public diplomacy could become an effective instrument of influence on mass audience of countries which proceed along the path of democratization. In the crisis periods when there exists a threat to democratization, public diplomacy in the form of direct contacts with protesters and support measures of adherents of democracy is extremely important and can help pursue a required course.

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THE ADMISSION OF ALBANIA IN THE LEAGUE OF NATIONS

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Abstract

This paper aims to focus on the questions of how important was the admission of Albania to the League of Nations as well as what was the reason of the change of attitude of the Great Powers and neighbors against Albanian candidature. In the paper is scrutinized the situation of Albania before membership in the League of Nations as well as the reasons that led it before this international body. The topic is interesting as the scrutiny of this moment of Albanian history in international relations helps to understand the events that followed in 1920s and how contributed this admission on the issue of borders and on international recognition.

Key words: Albania; League of Nations; International Recognition; International Organizations; Albania-Great Powers Relations

INTRODUCTION

The First World War; the conflicts between the Great Powers, as well as the claims of neighboring countries upturned every achievement of Albania in 1913.¹ The situation in Albania in 1919 it steadily worsened since the Paris Peace Conference (1919) did not solve the Albanian issue. British government, through its agents tried to encourage the Albanian people by a congress, to form a national government instead of the government of Durres which was under the influence of Italy, which in the meanwhile, allowed in Paris, on 14 January 1920, an agreement on the issue of the Adriatic between Lloyd George and Nitti through which was decided the dismemberment of Albania (Vllamasi 2000, 128). Italy was still determined to keep Vlora and a mandate over Albania. Determination of Italy encouraged the claims of Greece and Yugoslavia in Albania and reports that Italy was willing to accept these claims, along with the failure of the Albanian delegation led by Turhan Pasha to the Peace Conference to achieve recognition of fair requests of Albania, caused harsher anger in the country. At this time in the north of the country began the unrest favoring the masses against the Italians, while the interim government of Durres who had been inclined to cooperate with them (assuming the basis of the Declaration of general Ferrero), lost the trust of people.

¹ The Allies and Turkey signed the Treaty of 30 May 1913. This treaty established the evolution of the situation in the Peninsula after the Turkey's collapse. In that treaty, was discussed also the Albanian case, whose independence was preliminarily recognized, but its destiny was in the Great Power's hands. On 29 July 1913, the Great Powers declared Albania as an independent state and gave it an international special status (Puto 2001, 278-280).

During the celebration of the Day of Independence of Albania in Vlora on November 28, 1919, there were incidents, which increased popular anger. During this time, the Greek press reported Venizelos-Tittoni Agreement, which engaged both sides, Greek and Italian to support in the Peace Conference each other's claims, notice that raised discontent in the country (AQSH, F. 251, V. 1919, D. 37). The Albanians, disappointed from the oscillations of the European diplomacy regarding the solution of their problems as soon as possible, vitalized their political activity, assembling the National Congress of Lushnje. On 28 January 1920, convened in Lushnje a National Congress headed by Sulejman Delvina which main purpose was "the full independence of the country." In the announcements of the Congress's opening activity, there was expressed the wish that the Albanians could live in friendly harmony with their neighbors. Regarding Italy, in the Congress announcement it was hoped for Italy to take in consideration the Albanian nation's will and to change its policy toward the Albanian case, giving up to its previous policy and protect the Albanian independence (AQSH, Bisedimet e Këshillit Kombëtar v.1920, 9-10).

Lushnja Congress laid the basis of the internal organization of the state. The new government headed by Suleiman Delvina was formed. Legislative power was given to the Parliament, which met for the first time on 27 March 1920 (Fischer 1996, 29-31). With the establishment of the National Council was the first time since 1912 that the Albanian state was fitted out with a legislative chamber and began regular parliamentary life (Historia e popullit shqiptar Vëll. III, 2007, 146-147).

The government that was formed by the Congress of Lushnja should take in hand the state administration, to extend it across the country, especially in regions that were at risk to secede from Albania, and then require the evacuation of different invaders. From the fulfillment of these tasks would depend the success of diplomatic efforts to ensure the territorial integrity of the independent Albanian state and its re-recognition internationally (Historia e popullit shqiptar Vëll. III, 2007, 148). Delvina's government initially put forth its powers to all provinces administered from Durresi's government. In February 1920, it managed to extend its administrative jurisdiction in most of the territory under Italian occupation. On 11 March, the Tirana government forces entered the town of Shkodra and its surroundings, which were under Allied garrison, from which they took over the direction of the city. At this time, the French contingent left Shkodra and only the Italian one remained. On March 13 was declared the unification of Shkodra with the National Government of Tirana. At the beginning of March 1920, the government of Tirana asked to the Rome's one, through the military command in Vlora, to review its position by respecting the national rights of the Albanian people, but the latter refused to enter talks with the Albanian side, especially on the issue of sovereignty over Vlora (Historia e popullit shqiptar, Vëll.III, 2007, 147-149). On June 1919, the Francesco Nitti's government came to power, whose political goal was the reduction of military costs. The military and the civilian authorities thought the reduction of military forces in Albania. Only in the region of Vlora, the forces were not reduced. The commander of the Italian troops in Albania; a few days before the beginning of war sent information to Rome, summarizing the core of international political conjecture. The idea that if Italy withdraws from Vlora, other nations also, Greece and Yugoslavia would withdraw their respective claims, was being instilled more and more in the minds of the Albanian people, and this thought was expressed in this formula: "*Saving Vlora means to save whole Albania*"- emphasized Settimio Piacentini, the Italian General (Çami 2007, 223-225).

On 3 April 1920, the Albanian government asked the Italian occupation authorities in Vlore, the administrative unification of the region with the rest of the country. In response to this request, the Italian government appointed as high commissioner in Albania F. Castoldi, claiming the validation of the former agreement of the 20 August 1919 with the Albanian government of Durrës. The vice-minister of the Foreign Affairs of Beograd, Popovitch, expressed the official position of Beograd, who preferred mostly an independent Albania according to the 1913's borders, rather than an Albania under the Italian mandate, but he refused to withdraw the Serbian forces as requested from Albania. This withdrawal was conditioned by the Yugoslav diplomacy with the first evacuation of Italian forces from Albania (Historia e popullit shqiptar, Vëll. III, 2007, 153-154).

Under these circumstances, with the possibility of a potential conflict with Albanians or Yugoslavs, the political crisis in Italy, the protest Albanian colony in Italy against the proposed separation of Albania and the attitude of President Wilson, the Italian government was convinced finally that the best course was the withdrawal, negotiating meanwhile with the Albanian government a protectorate over the country and insisting on confirmation of Albania's borders as they were set in 1913 (Swire 2005, 258).

Italy-Yugoslav controversy due to the presence of Italian troops in Vlora was growing steadily. In these conditions was held on May 29, 1920 in Barçalla of Dukat an Assembly who decided the initiation of the uprising against the Italian army. While on 3 June 1920, the committee of National Defense sent an ultimatum to Italian general Piacentini where among other things, was told that the Albanian people couldn't accept the Secret Treaty of London 1915 and requested a response within 24 hours for the evacuation of provinces held by the Italian army, otherwise would not assume responsibility for the actions taken (AQSH, F. 251, V. 1920, D.35, 243-244).

The attack initiated against the Italian troops coincided with the change of government in Italy. Italy was embroiled by internal problems, on June 15 came to power the government led by the socialist Giovanni Giolitti. Given this, the Italian left brought a great damage to the efforts of the Italian government to send troops to Albania. Backed by a large liberal majority, he did not hesitate to say that the government was not in favor of a protectorate in Albania but wanted the independence of this country (Dervishi 2006, 121-123). The fighting began on 5 June by the Albanian Volunteers aided by militia. The Albanian government unofficially supported the fighting and for the Albanians, who were on the battlefield was done everything that could be done without identifying themselves to the movement. By the end of June, Baron Aliotti and Colonel Castoldi were sent to Tirana, to negotiate an agreement with the Albanian government, which was discontinued on June 16 by the Albanian side which refused any deal as long it was still in force the Tittoni- Venizelos Agreement. On June 23, Vlora was attacked fiercely again. With these developments, on 22 July the Tittoni-Venizelos Agreement was abrogated by a note of Italy against Greece due to lack of secrecy on its part in respect of the terms of the agreement (Swire 2005, 261-262). In these circumstances was signed the agreement of Tirana on 2 August 1920 in which was declared that: "the Italian government as proof of its sense of respect for the sovereignty of Albania on Vlora, and the territorial integrity of Albania will repatriate the Italian troops currently deployed in Vlora and its coast as well as throughout Albania." (AQSH, F. 251, V.1920, D. 35, 153-155). Thus the signing of the Treaty of Tirana took Rome every right to seek support from the Peace Conference for its claims in Albania.

On the other hand, by losing its positions in Albania, Italy did not have any interest to allow the fulfillment of the Greek and Yugoslav pretensions; consequently, neither other

European Powers could claim the division of Albania in favor of any Balkan Power (Çami 2007, 256-278). After the victory of this war, the attention of the government of Tirana and the Albanian people naturally focused on expelling outside the political borders of 1913 the Yugoslav occupiers, as well as in international re-recognition of Albania's independence (Historia e popullit shqiptar, Vëll. III, 2007, 165-167). Tensions in the north were not the only problem for the Albanian government given that Greece followed the same policy in the south. Only when it could exercise its power in the north and south after overcoming the problems with its neighbors, could be determined its status as an international party. To cope with this situation Sulejman Delvina's government focused the attention on the international reaffirmation of the decisions of 1913 on the recognition of the independence of Albania and its borders. For this reason, in the autumn of 1920, it moved its center of foreign policy activity from the Paris Peace Conference to the League of Nations, which had just been created, based in Geneva, Switzerland (Puto 2009, 285). Undoubtedly, the League of Nations presented advantages compared to the Peace Conference. The Conference was a body in the narrow circle of the powers, outside any control of public opinion, while the League of Nations brought a new element in the international arena; it had to deal with problems based on publicity (Puto 2003, 313). In Paris was accepted that negotiations should be made under public inquiry. For the idealists, this was a good thing. Nations would bring a common understanding, so necessary for the international relations. (Macmillan 2006, 114)

Albania's request of admission to the League of Nations

On 15 November 1920 the First Assembly of the League of Nations opened in Geneva. On 12 October 1920, Pandeli Evangjeli on behalf of the Albanian delegation in the Peace Conference formed by the Congress of Lushnje with its priority on reconfirming the decisions of the conferences in 1913 and 1914 over the recognition of Albania presented to the Secretary General Drummond the petition of the Albanian government in accepting Albania in the League. In his letter sent to the Secretary-General Drummond, the President Evangjeli, the interim chairman of the Albanian delegation, wrote: "Albanian government as an faithful interpreter of the Albanian people's sentiment to consolidate the peace in Balkan wants to be accepted in the League of Nations and to be participant in the Great Assembly, which will be held in Geneva in the next 15 November" (AQSH, F.14, D.209, 28). Albanian candidacy made the international diplomacy questioning the international status of Albania, which was a defined element in the first article of the League of Nations, which stipulated that: It can be a member of the League each state which was freely governed (Van Ginneken, 203-204). On his answer on 20 October 1920, the Secretary-General of the League Drummond asked to the Albanian government for the original copy of the document that declared Albania's independence or its self-government, even the authentic copy of the declarations of other states to have recognized Albanian government *de facto* and *de jure*. Drummond committed that he would have made known to the members on Albania's request and would discuss it in the Assembly (AMPJ, V.1920, D. 33). At this point, the government of Tirana decided to send in Geneva a special delegation led by Fan Noli, that would arrived in Geneva on 12 November, on the eve of opening the Assembly. The delegation arrived in Geneva on the Eve of opening the First Assembly of the League of Nations. Its members were: Fan Noli, Pandeli Cali, Dr. Adhamidhi and Hilë Mosi. The Albanian delegation on arrival in Geneva would present the documents required by the Secretariat of the League of Nations, respectively: the records of the London Conference of the 30 May and 25 July 1913 ;

the Greek-Albanian borders; the London Conference of the 8 and 11 August 1913; the Florence Conference of 19 December 1913; the extract of the Organic Statute of Albania of 10 April 1914; the Protocol of Korça; the Declaration of General Ferrara in Gjirokastra of 3 June 1917; the Protocol of Kapshtica of 15 May 1920 and the extract of the Protocol of Tirana of 2 August 1920 firmed by Manzoni, especially in article III where written: "The government of Tirana declaring her respect towards the sovereignty of Vlora and the territorial entirety of Albania would repatriate its troops located in Vlora and its coast and in other parts of Albania" (AQSH, F.14, v. 1913-1921, D. 209, 14-25). The Albanian delegation argued the Albanian case through a specific memorandum on 22 November 1920, which made a detailed argument in support of the request for accession in the League.

The memorandum treated the Albanian case in some aspects like recognition of the Albanian state and his government before the war, the status of Albania during the war, the recognition of Albanian government after the war, reflecting the real political situation of Albania until that time to clarify that Albania was not a new state created after the war, but it was an independent state since 1913. Albanian's request for accession relied on documents and facts, so the request couldn't be rejected easily. The memorandum sent to Drummond reflected a complete legal platform of fair solution of the Albanian case after WWI, whereby the Albanian case was easy and clear because Albania was not a new state created after WWI, but was an independent state since 1913 (AQSH, F.14, v. 1913-1921, D. 209, 28-38).

Regarding its position during the war, Albania was not a rival of Antanta, it was and stood neutral (at this point must remind that Albania, as Noli wrote, supported French and Italian troops against the Austrian ones). Today, Albania has a parliamentary government elected and supported by its people, as written in the memorandum:

An independent Albanian state is necessary for the peace in the Balkan; Albanians, a powerful and intelligent race has proven now and earlier that they know how to protect their freedom and have tried for their independence. Albania requires and deserves a place among civilized countries of Europe. Albania was recognized from the Treaty of London. On her 54th meeting of 15 July 1913, this Conference officially announced that Albania was declared an autonomous, sovereign and inherited principality under the guarantee of the six Powers. Albania is neutral, and its non alignment is guaranteed by the six Powers (AQSH, F.14, v. 1913-1921, D. 209, 28-38).

About the issue of the borders, Noli wrote to the secretary of the League that the borders were defined in general by this conference, later were established in details from the International Commission. An International Commission developed in Vlore on 10 April 1914 the Organic Statute of Albania. It was signed from the representatives of the six Powers and Albania, respectively Mehdi Bey, Winckel, Kral, Krajewski, Lamb, Leoni, Petraiel. In its first article of the first chapter of the statute was written:

Albania is indivisible; its territory is unchangeable. The borders of the principality are established by the six Great Powers. These borders couldn't be corrected or changed based on a law and with the prior approval of the six Powers. Adding, as written in the letter sent to the secretary of the League, that the treaties and protocols, which established the sovereignty of Albania and fixed their borders are not being officially denounced from any member of the Powers, that has signed. As a result, they never stopped being valid according to the international

law. Albanian government was recognized (*de jure*) officially on 1914 from six Great Powers and from Romania, Bulgaria, Serbia, and Greece that sent to Durrës their accredited diplomatic representatives. Albania by its side sent her own diplomatic representatives abroad. [...] The newborn Albania was swallowed up by the war. Even though, the war did not change its international status and soon as the war ended, Albania was rebounded, reorganized with a national government, remained sovereign in almost all the territory defined in 1913, with no foreign protections through so many foreign obstacles that everyone through would be insurmountable (AQSH, F.14, v.1913-1921, D. 209, 14-38).

In the letter sent to Drummond was explained even the secret Treaty of London. However, the protests of the European and American public opinion and the historic denunciation of President Wilson stopped the execution of this treaty. Supporting the Albanian case, Noli mentioned in this memorandum even the memoir sent from Yugoslavia to Clémenceau on 14 January 1920, supporting the administration of Albania, as decided in the Conference of the Ambassadors in London in 1913, to a local autonomous government with no foreign intervention (AQSH, F.14, v. 1913-1921, D. 209, 21-22).

After the request for admission in the League, the consultative permanent commission for martial, marine and air affairs in its meeting in San Sebastian engaged in a prior discussion following the report according to article 9 of the pact, in the Council of the League of the Nations regarding the regulation of armaments from the states that would be members of the League. The Secretary- General of the League, Drummond on 20 October 1920 asked Albanian government information about the composition of military force, the mercantile marine and air as well as the civil aviation of Albania. Moreover, information was required for the ground, fleet and air troops that Albania wanted to keep as well as information about the current borders of Albania (AMPJ, v. 1920, D. 33, 74).

On 8 November 1920, the Foreign Affairs Secretary and the chairman of the Albanian delegation to the Peace Conference, Mehmet Konica would give Drummond all the required information about the ground troops, since there were no air and fleet force. Regarding the borders, as Konica wrote: “(...) the current government dominates the territory defined by the London and Florence Conference, except the north and north-east which are under the arbitrary occupation of Yugoslavia, and the south-east is invaded by Greece” (AMPJ, v. 1920, D. 33, 74-77). By the information given to Drummond, Konica asked him for help about the Albanian case, using his influence to give Albanian the place among the civilized nations of the world.

The hearing of Albanian case

On 15 November in the Assembly of the League of Nations, a special commission was created, which would canvass the requests for admission of non member states. Commission V would examine and write a report to the Assembly for the proposal of these candidatures. It set a sub-commission which would make a report regarding the Albanian candidacy. The sub-commission was composed of:

- The chairman Lord Robert Cecil;
- Members M. Branting delegate of Sweden;
- Sir George Foster delegate of Canada;

- Osusky delegate of Czechoslovakia;
- Mister Tittoni (substitute of mister Pagliani delegate of Italy);
- Mister Viviani delegate of France;
- Winiorksy delegate of Poland (AMPJ, v. 1920, D. 33, 78).

On 22 November 1920; this sub-commission would demand the Albanian government to answer with a written response to all its questions beginning with its own recognition. In this way the sub-commission through its five questions wanted to understand if the request of Albania for admission to the League was regular, if the Albanian government was recognized *de jure* or *de facto* by which states. The sub-commission was interested to understand too through its questions, whether Albania had a stable government, defined borders, and which was the territory and population of the country as well as if it was governed freely. It was interested also to understand, which were the acts and statements of government regarding its international commitment and directives of the League regarding the armaments (AMPJ, v. 1920, D.33, 80-84.).

To the question posed by the chairman of the sub-commission Cecil, Fan Noli would respond with all necessary arguments to clarify every question. Regarding the recognition of Albania, Noli answered Lord Robert Cecil that the government of Albania was recognized *de jure* and *de facto* since 1914 from the six Great Powers of Europe as well as Romania, Serbia, Bulgaria and Greece as they all sent diplomatic representatives accredited officially in Durres. Noli answered also that present Albanian government had entered into relations with Italy, Serbia and Greece and made negotiations with them for different agreements, which constituted a recognition *de facto* of Albania. Italy at that time had a minister with full power in the temporary capital of Albania (AMPJ, v.1920, D. 49).

As regard to the borders, those were settled in general lines from the Conference of London in 1913 and soon after defined in detail by the international commission. The protocols which contained the case of the Albanian borders were signed by the representatives of the six Great Powers being so recognized by all parties interested, including Serbia and Greece. The power of the present government, wrote Noli to Lord Cecil, is recognized by all districts except some strategic points through the north and north-east border that are occupied by Yugoslavian troops and a small area in north-east of Korça which is occupied by Greece. The area of Albania is nearly 20.000 square kilometers with a population of almost one million habitants. Regarding the government, it is composed of House of deputies chosen by the people, a council of ministers accountable to the Parliament and a Council of Regency nominated by the national Assembly of Lushnje. Albania is ready to fulfill all its international commitments and respect the directives of the League regarding the armaments (AMPJ, v.1920, D. 33, 83-85). The November 30 Fan Noli wrote to the Assembly of the League Nations regarding the memorandum presented by the Secretary-General of the League of Nations the main object of which was the admission of Albania in the League. The secret Treaty of London of 1915 Noli wrote to the Assembly is not over made officially public by neither Great Powers that signed it, therefore, it cannot have a juridical value within the international law. Furthermore, the international law of Albania never had undergone any change (AMPJ, v. 1920, D. 33, 88-89).

The hearing of Albania's admission would have passed two phases before the final decision. The first was characterized by debates in the commission V, and the second phase had to do with the discussions in the plenary session of Assembly, which gave a solution to the Albanian request started from October 12. In a letter sent to Pandeli Evangjeli in Tirana after

settling down to Geneva, Fan Noli informed him on the stand of Great Powers and neighbors against the Albanian case. Great Britain and Italy:

[a]re totally indifferent towards the Albanian case. France warmed up and chuckles since the Venizelos fall. The attitude of Greece and Yugoslavia against the case is known but a high official of the Secretariat, and a close and trusted friend of Clémenceau made our work easier and said that from the two obstacles for admission of Albania in the League, Greece was eliminated completely and Yugoslavia maybe, will not oppose very much. The Senator Hafa Saine, delegate of Belgium who is known to me since the United States, told me with a certain level of sureness, which I will it will be as well-founded as he remembers, that Finland and Albania will deal with each other straightway. Spain and Latino-American republics sympathize with us. Even a surprise, Japan winks us! (Jorgaqi 2005, 394).

On 4 December 1920, Commission V took in review the Albanian case based on the sub-commission report charged with the duty for collection of data for Albania. During the discussion in the meeting was clear that the report biased more towards the opponents' position for admission of Albania as well as biased from the opinion of the juridical section of the Secretariat of the League, the ones that it reported the Assembly. The developments in this section were defined by the drafting of a report the Commission directed to the Assembly on 6 December 1920 in which was taken into account the recognition of the Albanian government, the borders, area and population as well the acts and declarations of government regarding international commitments as the directives of the League on armaments (AMPJ, v. 1920, D. 33, 119-126).

In his speech of 6 December 1920, Lord Robert Cecil in its capacity as chairman of commission V read the report of sub-commission and declared that was in favor of Albania's admission in the League of Nations. He justified that objections could be made for admission of some states starting from the fact that their survival is in danger because they are conterminous and surrounded by anarchic and unstable neighbors, which are not the case of Albania. Its border is bounded with Greece and Serbia, two known states for their respect towards international delegations. Robert Cecil mentioned that strong national sentiment of Albania, which was presented as evidence of the continuation of nationhood, saying that, Albania, constitutes a nation because of its unanimous feeling of its inhabitants (AMPJ, v.1920, D.49).

The postponement proposal for admission until the definition of its final status that the Commission made to Assembly was delineated by two attitudes: from one side the grouping against the admission of Albania, which has as its main representative of this shared viewpoint the French Vivian, on the other side the grouping in favor of Albania, which was represented by Lord Robert Cecil representative of South Africa and the Canadian Newton Wesley Rowell.

In the first grouping Vivian the delegate of France was against the admission to the fact that the situation was very delicate and the Assembly could have taken a risky decision that would be against the Politics of Peace. He stressed that admission of Albania was a challenge against the Great Powers which did not set yet the status of Albania (AMPJ, v. 1920, D.33). Viviani's proposal was supported from the Serbian delegate Spalakovic and the Greek one, whose attitude linked with their national interests toward Albanians' territories. In the same line, was the representative of Italy Pagliano, arguing that Italy was not against the admission of Albania in the League of Nations. Italy didn't object the admission of Albania in the League of

Nations and wanted to follow a liberal program led by the justice ideals, but according to it, Albania was in the same situation as the Baltic countries regarding their recognition *de jure* and *de facto*. However, Italy supported the idea that the admission of those countries in the organization would encourage the democratic development of their institutions as well as it would be a guarantee to fulfill their internal duties. Even the representative of China Tang Tsaj Fau welcomed Albanian admission but the problems of the *de jure* recognition; the non established borders and the occupation of territories pushed him into the opinion of postponement the admission. Great Britain supported the Albanian case. Robert Cecil would become the advocate of Albania. After Vivian's statements, Cecil declared that Vivian's proposal should 'not be acceptable because the Council can't let the decision of this case be in the hands of a group of states. According to Cecil, there would be no-good news reading on newspapers that the Great Powers want to dictate some issues in the League of Nations. According to him, Albania should be accepted in the League as long as it has all the characteristics to be a state. Cecil proposed the resolution according to which:

The Assembly after reviewing the V Commission's report on accession of Albania in the League was declared pro the accession of Albania in the League. In the same line with him was Rowell, the representative of Canada in the League, submitting all the reasons that led him to support the candidacy of Albania. According to him, the division of Albania and the secret Treaty of London were not facts that Albania was not an independent state (AMPJ, D.33, v. 1920).

In this discussion, was involved even Mister Fisher, representative of Great Britain, who added that the Commission and the Assembly could not overthrow the decision of the Great Powers on this issue. So at the end of the Commission's work there were two resolutions: the one of Lord Robert Cecil, who supported Albania and the resolution of Vivian, who wanted to postpone the admission until the definition of the final status of Albania. Both proposals were voted, where Vivian won with 13 votes in favor against Lord Cecil with 8 votes. Based on this motion was drafted the Commission's report, which was addressed to the Assembly (AMPJ, D.33, v. 1920, 157).

The membership

Commission's insecurities which were invalidated from the Plenary Assembly made to name the agreements of 1913 as old, so Albania had no constitution, no borders, was not a state, her international status "should be clarified" (Godart 2015, 253). The legal section of the League wanted information.

After reviewing the Albanian case, it reached in the conclusion that the Treaty of London was valid. That treaty was never implemented, and the decisions of Clémenceau and Lloyd George were canceled to give power to Rapallo's Treaty. It formed its own thought and all comments to verify the situation should be under its orders (Godart 2015, 255-256).

The legal section used as a strong argument to make agreements invalid, the fact that the signatory Powers exercised control over citizens and financial government of Albania. According to the fact that during the war, any control could not be exercised, should these agreements be invalid, since the control is a primary condition? After many questions, the legal section reached in the conclusion that the observance related to the question if the Treaty, and the

current agreements are enough to define Albania as “a state governed freely” according to the first article of the Pact (Godart 2015, 255-256).

During this time, the Albanian delegation in Geneva tried to have the Powers' support. Noli, arriving in Geneva, met the British diplomat A. Nicolson and clarified the risk letting Albania out of the League. After getting the British support, he informed O. Herbert. Albania's friend didn't arrive late in Geneva and used his influence over the Canadian delegation and the rest (Jorgaqi 2005, 396). It was crucial, his meeting with Lord Robert Cecil, the delegate of South Africa and the chairman of the General Assembly of the League. Noli ensured the support of one of his neighbor countries, Italy, which knowing the Greek and Yugoslavian interests, would prefer an independent Albania rather than a divided one. This activity would be noticed in the plenary session of 17 December 1920 with the defense of Lord Robert Cecil, Rowell, and Imam to the Albanian case (Puto 2010, 210). During this time, in several European cities were lobbying in defense of the Albanian case. In favor of Albania would also lobby on 4 December 1920 Justin Godart, member of the House of Commons, with Mister Estournelles de Constant who wrote to the chairman of the League, Mr. Paul Hymans saying:

Let me inform you about the unexplained situation where Albania is forgotten by the Sèvres Treaty...Albania has the right to live. Albanian people are European. It served to the allies during the war. It has an autonomous government. Albanians have preserved their customs, language and independence under Turkish domination. It would be a conflict if the League rejects to recognize its existence. I think I accomplished my duty on preventing a huge damage and injustice (AMPJ, v. 1920, D. 33, 25).

On 12 December 1920 Mr. Koleci bishop of Zadrima, member of Albanian Parliament on a mission to Rome, sent a telegraphic appeal to all delegates of Catholic member countries of the League of Nations, calling on behalf of the Albanian Catholic population, for immediate admission of Albania in the League of Nations. Koleci asked help from delegates of these countries by presenting the situation on which the Albanian population was, and proved that it was doing all the necessary to protect its borders. Its rejection would be a great injustice against Albania, which had been independent and sovereign before the war (AMPJ, v. 1920, D. 33, 175).

On 14 December 1920, Noli as the chairman of the Albanian delegation sent a memo to the chairman of the Assembly protesting against the France representative, Vivian's motion to postpone the accession to the League until defining its status. Noli argued that the international status was established on 1913-1914 from France, England, Italy, Austria and Russia that guaranteed the independence, sovereignty, neutrality and its borders. The treaties that established the independence were not denounced. Albania during the war declared its neutrality. So, said Noli in his memorandum, the High Council of Allies has no legal right to impose conditions as it was a defeated enemy. The High Council cannot change this international status, only arbitrarily or as a supreme power. Albania, independent and sovereign, today and before war, can't let the council change its destiny, as it is up to Albanians. It does not recognize any treaty or adjustment made without government's knowledge about issues that affects it and can't accept the decision on its status, so should consider the decision invalid. In front of such reality, it begs to the League to give justice and solution. Noli ends saying that Albania's accession would be a sterling relief of invasions since 1912. As rejection would force it to remain mobilized to guard its borders bringing a constant state of war, which would be a danger to peace in the Balkans. Italy recognized the independence and sovereignty in 1920, so did in 1914, as Noli said. Article

2 of Protocol on 20 August 1920 was signed in Tirana from Manzoni, representative of Italy (AMPJ, D. 33, v.1920, 95-96).

On 15 December after the discussion made by Commission V, Estournelles de Constant as senator wrote to Mr. Leon Bougeous, Mr. Viviani and Mantoux to have read the “Journal de Debats”, over the attitude of Italy toward Albania to have abandoned its opposition of Albanian's admission. Estournelles noted that after studying the case, that Albania could produce better than other states its international status, because it had its own government; administration, retains its own borders, its lessons, has religion tolerance and security. It has its own language and tradition. It has preserved its own integrity and existence under the Turkish domination (AMPJ, v. 1920, D.33, 177).

Also Aubrey Herbert, described as the greater friend of Albanians, was lobbying in favor of the Albanian case by writing to Drummond and Cecil Harmsworth. He asked Cecil Harmsworth if he could persuade Lord Curzon to take into account the Albanian case. This letter had its effects because on 27 November with a decree of Lord Curzon Mr. Eyers was sent to the Albanian government as an accredited agent of the British government *de facto* (Aubrey Herbert 2012, 379).

The discussion and decision were left to the Assembly of the League as an upper instance, whose one of its main functions was accepting new states in it. The Assembly reviewed the Albania's petition in the plenary session of the 17 December 1920. The discussion in the Assembly started with Lord Robert Cecil's intervention, which was followed by other interventions, which led to different views from the previous. The Albanian candidacy gained another approach from the members of the League of Nations. Important personalities gave their contribution in the Albanian case. The historiography of the time shows that Fan Noli's figure was one of the most mentioned because of his election as the Albania's representative in the League of Nations and the role he took. Nevertheless, Albania's admission in the League of Nations came as the result of the changes in the foreign policy of Great Britain toward the Albanian case, whose support was reflected from its dominions, even from the British representation itself, Fisher. During that time, the British government showed interest toward the Albanian underground's case.

It informed Iliaz Vrioni that if Albanian government gave to Great Britain the exclusive right to search for kerosene in an area of 200.000 hectares and if after the positive results would give in concession to the Anglo-Persian (Iranian) Society for the exploitation of the kerosene in an area of 50.000 hectares of petrol ground, in her own choice, even composed of dissociated parcels than as a reward the British government would make it possible for the admission of Albania in the League of Nations. In front of this proposal, the prime minister together with Mehdi Frashëri, the interior minister and Xhemil Dino, advisor of the prime minister tried to study the case taking in consideration the opinion of Xhemil Dino, as an expert. However, at the time there were no persons, which had knowledge about the case, so the government accepted the Society's condition and made a commitment to it through a letter, which was not even archived, but remained in the pocket of the prime minister, as Sejfi Vllamasi recalls (Vllamasi 1995, 167-168).

So Lord Robert Cecil, the representative of South Africa, the Canadian representative Rowell defended with all the necessary arguments the Albanian case. Cecil, on his defense noted that Albania had all the required characteristics of a state. He used the religious argument in his defense saying:

We frequently spoke about our sympathy toward Christian countries. However, we should demonstrate that even Christians or Muslims, there are equal obligations to every nation despite their religion, and we should take advantage to give justice to a Muslim country as we gave to the Christians ones. We often talk about people's rights, nation's freedom, to share these values that we talk about, sometimes more than we should talk, we could not do this without risking the human's aspirations. We should build our future; build the new world on great facts of human nature, in which the desire on independence is one of the most manifested. Who knows Albanian history, also knows its patriotic power since Albanians just like other people in their history showed through wars for freedom and existence this patriotism and Albanian patriotism is strong as the French and Swiss ones. Albanians want their independence and have defended it through wars. You should base your organization on great facts of human nature and nations' vast aspirations. There is no greater fact like the nation one. There is no greater aspiration as the desire of national freedom. In the name of people's aspiration, in the name of human freedom, I ask you to accept Albania in the League of Nations (AMPJ, v.1920, D.49).

In the review of the Albanian case, it was noted the position of the British representative Fisher, who said that after the review of the Albanian case Britain was ready to accept the proposal of the Lord Cecil voting pro Albania's accession. After Fisher's position, Ali Imam said that the accession of Albania in the League would be impressive to the Islam world. After him, the French representative Viviane agreed to join Lord Robert Cecil's proposal and was in favor of Albania's admission. The French representative was followed from the Italian one, Schanzer, who declared that Italy wanted the freedom, the independence and the progress of Albania. Schanzer, after reminding the Gioliti's declarations, said in the Assembly: "Based on the general principles that inspire us and wanting that Albania be a peace element and order in Balkan Peninsula, we vote for the accession of Albania in the League of the Nations. Same decided the representative of Romania, Mr. Negulesko" (AMPJ, v.1920, D. 49). After this declarations focused on Albanian case, the chairman of the Assembly Mr. Paul Hymans declared the end of the debate inviting the members of the Assembly to vote on this case (Swire 2005, 273). The voting was unanimous for Albania with 35 votes in favor, 7 votes abstention and none against (AMPJ, v. 1920, D. 49). Albania was accepted on 17 December 1920 as a member of the League with the reserve that its accession would not affect the future decision of the Ambassador's Conference regarding its borders (Swire 2005, 273). It became the first state to join an international organization, without providing initially a diplomatic recognition (Aubrey Herbert, 383). Its admission brought next the establishment of the borders from another Conference, the one of Ambassadors in London as brought later the setting of the diplomatic relations. With its admission in the League, Albania found an extraordinary force in its quality as a member and urged to have a referee just in case or to raise its voice in the Military Penalty Tribunal because with its admission, the occupation and the insecurities of the diplomatic activities were present. To Albania, its accession in the League was a positive act of justice (Godart 2015, 256).

CONCLUSION

The Peace Conference did not solve the Albanian case. The admission of Albania in the League of Nations and its recognition as a country became reality thanks to the Great Britain's advocacy. It advocated the Albanian case in exchange of concessions regarding kerosene. In British politics after the First World War, oil prevails and not ideals, writes Aubrey Herbert in his memoirs (Herbert, 361). The overturn of the situation, except this reason, should be seen also in the light of the political change situation in Greece in which the Prime Minister Venizelos an ally, had just lost its power and on 5 December a plebiscite decided the rise to power of King Constantine I, which the Allies had dethroned three years ago because of his pro-German claims. His return to power urged Britain and France to reconsider their support for the territorial expansion of Greece. (Herbert 2012, 383) The first thought was that the membership in this international organization would guarantee immediately its border integrity as it was outlined in 1913 in the Conference of Ambassadors in London and the security by the aggression of neighboring countries. It would take another year to solve the pending issues. The issue of borders was solved by the decision of the Second Conference of Ambassadors in London from which the League of Nations withdrew recognizing the competency of this body. On November 9 1921 the Great Powers winners of the war precisely Great Britain, France, Japan and Italy recognized Albania's borders and its government. Then it was up to local actors to deal with stabilization and economic development.

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RETHINKING WORLD SECURITY PARAMETERS UNDER THE INCESSANT CHALLENGES OF TERRORISM

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Abstract

Security has on a continuous basis posed multiple challenges to so many countries around the world over the past few years. The attempt to maintain world order has been a prerequisite for quite many countries, headed by the USA, especially as challenges of terrorism accrue day by day. Therefore, the present paper is set on a venture to question whether such attempts are to be met and whether there might rise a world power that can turn over all conventional understandings of world security paradigms.

Key words: terrorism; globalization; world security; democracy

INTRODUCTION

At the dawn of the new millennium, the era of the supposed global village, disparities are more intensified than ever before. Large segments of humanity live in conditions of dire poverty and forced displacement. In fact, we live in a world of obscene inequalities, profoundly defined by two major camps: the haves and have-nots. Besides, with the advent of global information technologies, or say, globalization, different challenges have been posed to the countries of the globe. Among these challenges, security has always featured the most significant need to be looked at and fostered among nations. People have lost a sense of security, for they have had to, willy-nilly, get involved in a globalized world that advances free mobility of people, ideas, goods, services and information among many others. In this sense, globalization has also facilitated the movement of transnational agents or terrorists across borders. Indeed, such an easy mobility of everything across borders that have become soft and porous has resulted in a number of social disruptions and other pathological forms of violence fuelled by terrorist attacks everywhere insofar as people are no longer safe but subject, every now and then, to imminent and unanticipated attacks. In effect, the September 11th terrorist attacks put on display different contradictions and ambiguities manifested in globalized consumerism, and globalized terror. It is, therefore, worth noting that a great deal of literature has been produced with regard to the pros and cons of globalization. In this sense, while globalization has been attempting to bring people together into an interactive global scene, which has been compressed to become a “global village,” it has also increased the rift between the haves and have-nots, thereby prompting people into despising and rejecting it.

The intensification of inequalities among people, realized by means of globalization, is one of the underlying principles that pushes terrorists into waging bloody wars, either with a purpose of protecting the weak, or in the name of stopping the corrupting effects of Western civilization on the whole world. Ironically enough, just as globalization facilitates the leaking of terrorists and arms across borders, terrorism itself makes benefit of technology and other globalized means so as to realize its goals, thereby putting the brakes on globalization itself. In an article entitled, “An Insurgent Empire: Has America Changed after the 11th September?,” Rida Hilal contends that globalization is a contradictory as well as ambiguous phenomenon in the sense that it facilitates the free mobility of terrorists, arms, information and goods among many other things, but, at the same time, this very free mobility puts the brakes on globalization. In other words, exerting incessant efforts to thwart terrorists’ attempts to move their sources and capital across borders is leading to a great scrutiny of trans-border dealings, thereby slowing down the flow of wealth. The fear that terrorists move freely from a country to another is also setting up new security measures about border patrol, and thus restricting the number of migrant laborers in different places. Such a complex and ironic relationship is depicted as the “globalization of terrorism and the terrorism of globalization.” (Hilal 2002, 7-8). Therefore, “it is ironic that global terrorism, the phenomenon of terrorists operating in and against several nations simultaneously, was facilitated by globalization and now it has become the biggest challenge to globalization.” (Khan 2004). Faced with such security challenges, the United States of America, whose corporate businesses and life styles are considered to be one of the leading forces of globalization (Hilal 2002, 8), is pummeled towards seeking a global security and deterring the terrorist threats, which do without achieving global peace and serenity. In this regard, “speaking for the United States, I can say this,” Richard M. Nixon stated that, “we seek the right to live in peace, not only for ourselves but for all the peoples of this earth.” (Nixon 2002). America, indeed, is in a unique position as the world’s sole superpower, which makes it a necessity for the Americans to come into the rescue of nations of the world whenever in need. Driven by such an imperative, the US has expressed its willingness to fight terrorism anywhere, thereby making people all over the globe feel secured. In this sense, a report by the National War College illustrates the perception which some American students have about their country, especially that of the “modern” white man whose burden is to protect and save the globe. Part of the report states that:

Terrorism is the societal evil of our time, and the global war on terrorism is our [American’s] great challenge. This evil must be abolished as slavery and piracy were in the 19th century and Nazism and Apartheid in the 20th century. The strategy of abolishment seeks to create a global environment hostile to all terrorist groups, whether they operate globally, regionally, or within the boundaries of a single state. As a grand strategy, it would provide overarching guidance to orchestrate all instruments of national power while coordinating the collective efforts of the international community. The proposed strategy of abolishment is similar in scope to the strategy of containment of communism because the threat of terrorism, when coupled with weapons of mass destruction, poses no less a threat to the safety and security of the free world (Nixon 2002).

As a major in the American proposed strategy of abolishment, containing terrorism is no easy task unless coordinated by collective efforts of the international community.

That is to say, establishing a global environment hostile to terrorists and their associates should be the task of every nation in the world including the Islamic nations. This has been a call expressed by president Barack Obama in his speech to the Islamic world in Cairo. Conducting an American partnership with Muslims has been deemed by the president to be an efficacious plan to defeat terrorism globally (Obama 2009). Such a partnership, in fact, presupposes that Muslims forget about the different atrocities committed by America, for instance, in Iraq in its mission to restore the rule of law and overthrow the totalitarian regime of Saddam Hussein. If one can go on enumerating the terrorist crimes committed by the US, the list will not end. It is worth noting, in this regard, that the American terrorist crimes against some peoples –, such as the case of Guantanamo Bay – have always been disregarded, and they have rather acquired a propagandist usage, which fits squarely with defining terrorism as an abominable act conducted, to use Chomsky's phrase, "against us" (Chomsky 2002, 81). It is when the Americans and their allies are threatened that terrorism becomes an urgent matter to be looked at and put an end to; whereas when America encroaches on states' rights and kills civilians in its unlawful use of force, the term terrorism acquires new meanings, among which self-defense and humanitarianism, as frequently encountered (Chomsky 2001, 23). Therefore, in what follows, the term terrorism is going to be put under analysis with the aim of uncovering the different discourses that lie behind the usage of the term.

Terrorism: An Anathema to Civilized Societies

The Bush administration's polarizing policy of "you are with us or against us" (Bush 2001), it is believed by many political analysts, has put on display an American mental state that advocates a division between, on the one hand, the civilized nations that are against terrorism, and on the other hand, the "failed states" (Chomsky 2006, 1-2) that are suffering from social mayhem, thereby providing suitable conditions for terrorism to be mushroomed and strengthened. In this sense, it is the duty of the civilized nations, led by the US, to uproot the danger of terrorism and its growing swamps globally. Furthermore, it is highly required that:

The United States encourage all civilized societies to pool diplomatic, informational, military, and economic capabilities to defeat terrorist organizations wherever they exist, deter future acts of terrorism, and ultimately diminish the underlying causes of terrorism. This strategy calls upon states, regional and international organizations, private and public entities, and individuals to collaborate in the war against terrorism. From the largest superpower to the lone citizen, each has a role to play in combating terrorism, and each has a responsibility to share the burden (Nixon 2002).

In fact, fighting terrorism should be everyone's duty: developed or underdeveloped countries. Instead of polarizing the globe into civilized nations and uncivilized ones, thereby falling into the trap of *othering* and xenophobia, it can be more significant to coordinate efforts of nations and individuals globally, including even the third world countries or failed states, so as to trap terrorism wherever it exists. It is undeniably a fact that terrorism is an abominable act seeking to destroy the flora and fauna of nations. It does not differentiate between civilians and militants; the young or old; the woman or child. Everyone is a potential target to terrorists in their massive scale operations. This can be one of the reasons that can prove the despicable characteristics of terrorism, an anathema to every nation not just the civilized ones. In so doing,

the war against terrorism can take an influential path, especially when it is backed up by the whole international community that shares and despises the same enemy. It is worth noting that the war on terrorism was not first declared after the 11th September attacks. Rather, the declaration of war on terrorism was older than that. Thirty years ago, the Reagan administration came into office proclaiming that the war on terrorism would be at the core of the US foreign policy (Chomsky 2002, 70). In this sense, look at what people, who re-declared war on terrorism after the 11th September terrorist attacks, say terrorism is. In fact, in his *Media Control*, Noam Chomsky discusses the problem of defining the term terrorism at length. He explained that the definition of terrorism is a vexing and complex issue with which big minds have been wrestling. An official definition found in the US code and Army manuals briefly reads as “the calculated use of violence or the threat of violence to attain goals that are political, religious or ideological in nature [...] through intimidation, coercion or instilling fear.” (Chomsky 2002, 79). However, the official definition of terrorism is untenable chiefly for two main reasons. First, the official definition of terrorism is a “close paraphrase of official government policy, it’s called low-intensity conflict or counter terror.” (Chomsky 2002, 80). In other words, an analysis of some of the US wars demonstrates, indeed, the extent to which these wars relied on violence or threat of violence against civilians or militants (Chomsky 2001, 70) to attain different goals that are political or ideological in nature. The other reason can be summed up in the inability of the official definition of terrorism to identify the perpetrators, thereby giving the wrong answers as “to who the terrorists are.” (Chomsky 2002, 76). That is to say, considering the official definition of terrorism to be a close paraphrase to a low-intensity conflict or counter terror may generate confusion, in terms of whether or not the terrorists are those engaged in resistance wars; those countering an attack or those waging wars simply to intimidate and instill fear. Fortunately, a self-serving propagandist definition of terrorism has become the norm in the US “re-declaration” of war on terror. “The solution is to define terrorism as the terrorism that they carry out against US” (Chomsky 2002). With this new form of defining terrorism, “we can then draw the standard conclusions that we and our allies are the main victims of terrorism.” (Chomsky 2002, 81). By definition, terrorism which targets the US and its allies is the one that should be paid attention to and globally fought. By contrast, the terrorist atrocities, for which the US is responsible in its massive scale terrorist operations on civilians and militants alike, are always excused or overlooked. Still, it is a fact that “the US is the only country that was condemned for international terrorism by the World Court and that rejected a Security Council resolution calling on states to observe international law.” (Chomsky 2001, 44). Another issue that comes to the fore due to propagandistic definitions of terrorism relates to identifying the perpetrators or terrorists in the sense that some Europeans or Americans, tend to confuse Muslims with Islamists and take them as one entity that should be held responsible for terrorism. To that effect, the subsequent section shall outline some differences between Islam and Islamism or Muslims and radical Islamists with the aim of clearing up the confusion that some Americans, intentionally or unintentionally, tend to have with regard to who the terrorists are and what the aims they try to achieve are.

Characterizing Islam and Islamism

It goes without saying that a great deal of literature has been produced with regard to the questions of Islam versus Islamism. Varied are indeed the characteristics and orientations that distinguish between the two. As well, different are the religious and ideological points of

reference of both Islam and Islamism, which totally make them confront rather than complement or inspire each other. It is because many people tend to confuse Islam with Islamism, especially when the question of terrorism is brought into play, that misunderstanding, hatred and animosity, among many other things, are generated among people globally. By definition, Islam has become perceived as the repository of terror. As such, many Westerners have become hostile towards Muslims simply because they simply failed to understand that “most Muslims are not fundamentalists, and most fundamentalists are not terrorists.” (Lewis 2003, 108). Observably, after the 11th September attacks, many Muslims have confronted hostile physical as well as verbal attacks from some of the fundamentalist Americans, for Muslims are propagated by media to be fundamentalists by nature (Prajas.d.). Ironically enough, a poll of public mood to the average Americans was conducted with regard to the responsible for the 11th September attacks: was he Yussef Islam, Osama Bin laden or Barrack Obama? (Box s.d.).

For some, the answer was Yussef Islam, an American singer formerly called Cat Stevens before he converted to Islam, because his second name is for them a stigma and a connotation to all what is evil and terroristic in nature. Some others have opted for Barrack Obama as the responsible for terrorism. However cynical it may seem, these statements have made strikingly and flagrantly obvious how ignorant most of the American public is vis-à-vis even issues related to their national security, and the extent to which such a public can be easily bamboozled into ready packaged, propagandistic images of the others by the Media: images they easily consume without questioning the reliability or credibility of the sources.

Building upon what has been said, this section shall be concerned with drawing a distinction between both Islam and the insurgent Islamism. Understandably, Muslims complain when some Westerners are being hostile to them and when their reputation as well as that of their religion is being defamed. In its nature, Islam advocates tolerance and peace. It is a religion that denounces violence and the killing of human beings without having the lawful right to do so, which is mostly issued by Islamic courts. Intimidating people by the use of force is stigmatized by Islam simply because peace ranks first among the priorities and obligations of such a religion. The Prophet Muhammad (PBUH) is the best example of the people who advocate peace globally. His teachings have concentrated on seeking peace while condemning violence and terrorism. This is further explained by Juhaya S. Praja contending that:

Islam and Islamic law have consistently condemned terrorism (the killing of non-combatants). Like the members of all religious faiths, Muslims have had to deal with religious extremism and terrorism from their earliest days. The responses of the mainstream majority to groups like the Kharijites and the Assassins and more contemporary groups like Islamic Jihad in Egypt or al-Qaeda have been to condemn, combat, and marginalize them (Prajas.d.).

It is true that many a Muslim was a target of the terrorist activities in places like Morocco, Egypt or Iraq. Muslims have openly denounced the killing of civilians, be they Christians, Muslims or Jews (Zakaria 2009, XXVII). From its earliest days, Islam had to handle and put an end to religious fanaticism, social and religious insurgency and civil wars carried out by extremist militant groups, such as the Kharijites, whose fundamentalist beliefs dictated to them to act in violent ways. We should also bring into notice the fact that:

The Kharijites were a pious but puritanical and militant extremist group that broke with the Caliph Ali and later assassinated him. The Assassins lived apart in secret communities from which they were guided by a series of Grand Masters,

who ruled from the mountain fortress of Alamut in northern Persia. The Assassins' jihad against the Seljuk Dynasty terrorized the princes, generals, and ulama (scholars), whom they murdered in the name of the Hidden Imam. They struck such terror in the hearts of their Muslim and Crusader enemies that their exploits in Persia and Syria earned them a name and memory in history long after they were overrun and the Mongols executed their last Grand Master in 1256 (Prajad.).

Though, in fact, there exist too many versions of the Kharijites' stories of assassination and terror, one cannot deny that their terror had effects on both Muslims and Crusaders. Closely related to the Kharijites' case are groups like Egypt's Islamic Jihad who have organized their massive scale terrorist operations against western tourists, burned churches, and killed Copts and Christians (Wikipedia 2009). A case in point is Algeria, where "the Armed Islamic Group has engaged in a campaign of terror against the Algerian government." (Global Security 2010). Osama bin Laden and Al-Qaeda commenced an international war of trepidation against Muslim and Westerns alike, thereby distorting Islamic commandments while delivering their own fanatical fatwas, that is, legal jurisdictions in an attempt to legitimize their war and call for an attack on civilians or non-combatants (Prajad.). The examples of terrorist activities organized against Muslims themselves are numerous; which conveys and proves the fact that Muslims are also victims of terrorism, and hence Islam is not tantamount to terrorism. Rather, it is a religion that advocates elevated ideas and principles in pursuit of global peace, security and coexistence. Extensively noticeable is the fact that most of the extremist groups sanctify their actions through pious references to Islamic texts, notably *The Qur'an* and the traditions of the Prophet (PBUH). While doing so, they claim to represent a truer, purer and stricter Islam than that currently practiced by the majority of Muslims. Given the adaptive nature of Islam –, that is, the fact that Islam has left up a space for the interpretations of some of its teachings to the clergy or the Islamic *jurisconsult* who is authorized to issue a fatwa, thereby permitting them to sieve the Koran's messages through different cultural lenses–, different interpretations of the guiding principles of *The Qur'an* have come into the fore with the rise of different extremist groups. Nowhere are differences in Islam more visible and intensified than in the different interpretations and readings of the Holy *Qur'an*. Radical Islamist groups, in fact, fit squarely within the category of those who misinterpret the teachings of Islam, thereby sharing in common a tendency to re-establish a strict rule of the Islamic laws in the whole globe while stopping the corrupt effects of western modernity or civilization on the Islamic world. In this sense, new "fatwas", that is, a legal opinion or ruling on a point of law, (Lewis 2003, 109) have been issued so as to put into display new regulations that extremism aspires to establish. For instance, The 11th September terroristic occurrences were an epitome of Islamist fundamentalism that structurally carried out the fatwa issued in 1998 by Osama bin Laden. The fatwa stated:

The duty to kill the Americans and their allies—civilians and military—is an individual duty for every Muslim who can do it in any country in which it is possible to do it, in order to liberate the al-Aqsa Mosque and the holy mosque (Mecca) from their grip, and in order for their armies to move off of all the lands of Islam, defeated and unable to threaten any Muslim. This is in accordance with the words of Almighty God (Bin Laden 1998).

What Al Qaeda has committed, indeed, transgresses the Islam laws and teachings. Such heinous crimes were conducted by a bunch of fanatical terrorists in a bid to lend legitimacy to their group's power grab. That is to say, issuing a "fatwa" to kill civilians and military alike runs counter to what Islam preaches. Such a fatwa is meant to escalate the level of terror and violence, and hence prove that Al Qaeda has the power to attack any target regardless of whether or not it would harm civilians. Besides, the strategy which Al Qaeda follows in its terrorist wars is to gain the sympathy of many a Muslim by claiming to have the intention to liberate the Al-Aqsa Mosque and the Holy mosque of Mecca from the grip of the unbelievers. Therefore, defending such an Islamic cause is likely to yield fruitful results, such as garnering many fundamentalist sympathizers who could join the terrorist organizations in order to fight for the liberation of Al-Aqsa Mosque, the Holy mosque of Mecca and even the Islamic governments no matter what it costs them since their death will be deemed as martyrdom. In fact, Islamist groups tend to make a good use of the naivety of some fanatic Muslims by promising them to die as martyrs and enjoy the blessings of Allah in the afterlife if only they could valiantly fight holy wars against the Western as well as the Islamic infidels. In short, issuing "fatwas" so as to achieve ideological or political ends is a flagrant deviation from the basic Islamic principles and teachings.

Another revealing example of such a deviation is the famous fatwa issued by the Ayatollah Khomeini on February 14, 1989, against the novelist Salman Rushdie because of his novel entitled *The Satanic Verses*. The fatwa reads as:

[I inform] all the zealous Muslims of the world that the blood of the author of this book [...] which has been compiled, printed, and published in opposition to Islam, the Prophet, and the Qur'an, as also of those involved in its publication who were aware of its contents, is hereby declared forfeit. I call on all zealous Muslims to dispatch them quickly, wherever they may be found, so that no one will dare to insult Islamic sanctities again. Anyone who is himself killed in this path will be deemed a martyr (Lewis 2003, 108).

To promise martyrdom and the rewards of paradise to whomever kills Salman Rushdie and the contributors in his novel is unislamic; for nobody has the right to interfere with whether people can go to hell or paradise. This is something decided upon and destined only by Allah the Almighty. In Islam, even if one is totally pious and follows strictly the orders of Allah, still he should always ask for Allah's mercy. No one is going to be rewarded with paradise upon the good deeds he or she has done in his or her life, except by the mercy of the Almighty. If this fact has something to reveal, it will be that dying as a martyr, and thereby enjoying the rewards of paradise is a divine job and not the Mufti's, "the Islamic *jurisconsult* who is authorized to issue a fatwa." (Lewis 2003, 109). Islam does not urge its zealous to be hired killers so as to defend it. By contrast, there are different things one can do in case Islam or the Prophet is defamed or insulted. The simplest thing one can do is to bring the accused of an offence to trial, be confronted with the accuser and then be given the opportunity to defend himself. In case the accused is found guilty, the usual verdict is to consider his act to be tantamount to apostasy. "Jurists usually decide that insulting the prophet should be sanctioned by a flogging and a term of imprisonment, thereby the severity of the flogging and length of the term depend on the gravity of the offence." (Lewis 2003, 109). These are, in fact, some of the teachings, which the Prophet Mohamed (PBUH) tried to instill in his Umma, Islamic community, and which he himself used to put into practice whenever necessary. In short, the adaptive nature of Islam has given leeway to a multiplicity of interpretations to its basic principles. Radical Islamists have

manipulated the Qur'anic verses to suit their terrorist activities. "Some even go so far as to dismiss some Qur'anic verses as 'revoked' or 'abrogated'." (Lewis 2003, 108).

Terrorism, in this sense, has been infiltrated so as to execute the mis-interpretations of the Islamic religion. This proves that there exists a huge difference between Islam and Islamism, and that the hatred and animosity which some Westerners have against Muslims stem, indeed, from their ignorance of the true teachings of Islam and the prophet Muhammad (PBUH). This is a fact that has been proven in a number of occasions, the most notorious of which is the 11th September terrorist attacks. In an attempt to lay bare some other facts about America uncovered by the terrorist attacks on the Pentagon and the World Trade Center, the following section shall address the 11th terrorist attacks and their ensuing results that could have instigated changing perspectives with regard to the American as well as the world's perceptions of the superpower's or American might.

The 9-11Trauma: A Lesson to Heed

Seventy years ago, in 1943 to be precise, the American invincibility was contested by the Japanese attacks on Pearl Harbor. This historical incident has often been brought into play to describe the latest terrorist attacks of the 11th September on the Pentagon and the World Trade Center. Historically, the Japanese attacks of Pearl Harbor were seen by some to have changed the international scene, especially that the US reaction at the time was very aggressive by dropping nuclear bombs on both Hiroshima and Nagasaki, launching, thus, the beginning of an era wherein nuclear weapons and wars can make a huge difference. However, the myth of the American invincibility has been aggressively contested again in the 11th of September, 2001. Therefore, that day was, to some extent, a threshold to a new phase in the history of the world as well as that of the US on the grounds that America is no longer that imagined invincible power living behind a colossal fortress, which cannot be reached and attacked. Rather, the terrorist attacks of the 11th September seem to be a watershed event in the American history and the whole world, declaring, thus, that the US can be defeated in its home not just abroad. The attacks on the Pentagon and the World Trade Center are significant in the sense that both of them epitomize a side of the American power and its influence globally. For instance, the World Trade Center symbolizes the influence of the American corporate businesses spread across the globe, thereby holding a tight grip on the global economy. As for the Pentagon, it has always stood for the supremacy of the American politics and military; an invincible military that can cross miles and miles away to deter or punish wrong doers anywhere in the globe. Significantly, the choice of such American settings for the terrorist attacks unravels the hatred which many individuals across the globe have for America and its hegemonic policies and plans globally. Following such line of reasoning, this section shall be devoted to discussing two main points, one of which explains the 11th September terrorist attacks, while the other point dwells upon some of the facts about the US that the attacks have unraveled.

After the 11th September attacks, three interpretative paradigms have been suggested to explain the nature of the terrorist events. Rida Hilal explained these three paradigms at length in his article entitled, "An Insurgent Empire: Has America Changed after the 11th September?" (Hilal 2002, 7-8). The first paradigm that was suggested is that of Samuel Huntington's famous thesis on the Clash of Civilizations, which propounds a conflict in which civilizations will be involved sometime in the future, namely the Islamic civilization against the Western one. At the beginning, such an interpretative paradigm was prominently accepted to be a truism by many

Westerners, but all of a sudden, it turned out, the *Huntingtonian* thesis was dismissed, for the simple reason that Muslims themselves condemned the terrorist attacks on the Pentagon and the World Trade Center and described them as unislamic. Besides, Muslims have always been subject to terrorist activities, and therefore it is a war against fundamentalist groups of Taliban or Al Qaeda and not Islam versus the West.

The second paradigm interpreting what happened in the 9-11 attacks were that of Francis Fukuyama's "The End of History and the Last Man." Francis Fukuyama explains that after the defeat of communism, two forces will be the markers of human advancement: Liberal democracy and the global market. Therefore, global peace will reign by the time liberal democracy, global market and Western modernization are spread out across the globe. However, the 11th September attacks have proven the contrary in the sense that there are still some people who are against liberal democracy, so to speak. Drawing from a reservoir of anger and resentment against the spread of Western or American ways of life to their cultures, Al Qaeda conducted its attacks on the Pentagon and World Trade Center as a sign of their insurgency and protest against the American foreign policies and economic invasion worldwide. In this sense, the likes of those who attacked America are numerous, thereby refuting the *Fukuyamist* interpretative paradigm of global peace with the advent of liberal democracy and global market.

The closest interpretative paradigm of the events of the 11th September was that of Benjamin R. Barber's *Jihad vs. McWorld*. Barber provides a picture of two viewpoints held by some people with regard to globalization. While the first perspective holds it necessary to recover all what is traditional or local, that is, regaining traditional identities of individuals in a massive scale conflict with the West, the other standpoint votes for McWorld, that is, the spread of McIntosh computers and McDonalds Hamburger among many other "Mcs." by virtue of their ability to group different identities across the globe in a virtual space (Benjamin 1995). In fact, it was this interpretative paradigm of Benjamin R. Barber's *Jihad vs. McWorld* that could offer a closer explanation of the 11th September in the sense that terrorists of Al Qaeda can fit squarely within the category of those conducting Jihad against McWorld or globalization. In their efforts to stop the corrupt effects of western modernization on their countries, cultures, traditions or identities, Al Qaeda and its associates have made it clear that "the duty to kill the Americans and their allies—civilians and military—is an individual duty for every Muslim who can do it in any country in which it is possible to do it." (Bin Laden 1998).

Coming to the second concern of this section, the discussion of some of the facts that the terrorist attacks on America have put into display shall be of paramount importance to understanding the extent to which the US is faced with a serious situation wherein it is required to abide by the international law, work cooperatively and multilaterally with the international community with the aim of extirpating terrorism. Some of these facts shall be outlined in what follows:

1. The attacks on the Pentagon and the World Trade Center have proven that America is not that invincible superpower that cannot be contested by a terrorist organization let alone another country. The image which the Americans have built about their power portrays them as living behind giant fortifications through which no other power can break easily. Given the sophisticated security measures, such as the radars and X-rays that the Americans use so as to detect any danger seeking to breach their national security, it is thought that the Americans are in an isolated peaceful land away from danger, and that the only incident that could challenge their colony's security, seventy years ago or thereabouts, was the historical incident of Pearl Harbor to which they

reacted aggressively and ruthlessly. However, the 11th September attacks have proven that the Big Brother can be attacked even from behind his gigantic walls and fortifications and have his population intimidated (Hilal 2002, 6).

2. The attacks of the 11th September have proven that tracing enemies or anticipating threats has become the biggest challenge to the US and its national security. Osama Bin Laden and his associates are nothing but protracted transnational agents representing no country and who cannot be easily hunt down or even identified. They operate from within decentralized, protracted and global transnational networks and organizations. In this regard, the war against terrorism is predominantly a war against decentralized organizations and not countries. Consequently, such a fact has demonstrated a changing perspective in the whole scope of international relations. That is to say, international relations are conventionally set up among sovereign countries varying with regard to economic and military power, different vis-à-vis the agendas whereby they seek to empower their sovereignty and, most of all, similar in their tendency to establish economic and diplomatic relations with one another, thereby securing their own distinctive interests worldwide. Settling disputes between such countries is done by means of war or peace (Sahli 1993, 41). The problem that has been posed with the rise of terrorism is that countries can be subject not only to the sort of challenges posed by a country to another –, that is, challenges such as those considered to be posed by Saddam Hussein when he decided to annex Kuwait and take hold of two thirds of the whole world oil reserves, thereby contesting the American interests in the region –, but also to decentralized and protracted transnational organizations and their diffused agents.
3. Furthermore, the attacks have instigated a need for the re-constitution of the conventional notion of the state as sovereign and bounded (Hilal 2002, 7). That is to say, fighting terrorism entails the imposition of some constraints on individuals and their easy movement. Given that globalization has been the major element facilitating an easy movement of terrorists, information and money across borders, it has become a necessity to put the brakes on globalization itself, regardless of what the costs can be, by setting “new rules about border patrol, VISA regulations, and monitoring of foreign travelers.” (Khan 2001). In this account, it can be noticed that, “new security measures at airports have already raised the costs of travel and are affecting the profitability of the airline industry. Increased regulations on imports are slowing international trade. Higher costs, as a result of all the above are reducing profits and may dampen the incentive to seek foreign markets.” (Khan 2001). In light of all these restrictions, the modern nations are perceived to be moving towards re-establishing borders between one another, thereby going back to ages characterized by their bondedness and isolation.
4. Finally, America as a melting pot or a society wherein an amalgam of ethnicities, races, cultures and religions are thought to cooperatively coexist has proven illusory after the 11th September events. In other words, the hostile attacks, to which the Arabs and Muslims were subject after the 9-11 terrorist attacks, provided evidence to the fact that America has not yet managed to bridge the cultural or religious differences of its citizens. Rather, the American multiculturalism – which is always reiterated by politicians in their public speeches or over which a great deal of literature has been produced in academia – when always emphasized in different political as well as academic discourses can be ironically portrayed to be a tranquilizing drug taken by the Americans so as to make them believe that they really cohabitate and constitute one

single body, which is the reason why America is the world's powerful country (Hilal2002, 8). Nowadays, "Multiculturalism is generating a lot of interest among concerned people in the United States. Americans are becoming more aware of the importance of multiculturalism in the country." (Jackson 2010).

CONCLUSION

Having discussed at length the different interpretations given to the 11th September attacks and the facts that have been made obvious after such attacks about the Americans, this paper has tried to lay bare the fact that before making a judgment convicting some people on charges of terrorism one should rather get to know these people and their different affiliations. As well, some of the different information which are conveyed by the media are ideological in nature and tend to serve some particular propagandistic purposes. In this sense, there should always be a critical reading of each and every single information one receives. Unfortunately, for some Americans, Arabs/Muslims have been a malleable fantasy that drew upon whatever characteristics presented in the Western popular imagination and embedded in a long tradition of European colonialism. Therefore, some Americans are not interested in marketing who the Arab or Muslim truly is, but they, rather, stress the importance of having to make sure the Arab and Muslim keep matching the misconceptions and images the American public have on them. In so doing, "in an attempt to place Islam in a category that Americans can understand, the media portrays images of Muslims as belonging to a faith of 800 million people, consisting of strange, bearded men, [...] in robes and turbans." (El-Farra, Narmeen 1996).

Importantly, some Western movies' images of Arabs reflect the longstanding Western attitude of disgust with the Arab/Muslim culture while associating Arabs/Muslims with exoticism, fantasy, barbarism and sexuality as extracted from tales of the *Arabian Nights*. Some orientalist films constructed Arabs/Muslims as the *other*, different and inferior in all aspects. Conversely, it is not a coincidence that the Arab/Muslim image in the western culture suffers greatly. Arabs/Muslims emphasize that their depiction in western Media in downgrading terms leads to numerous acts of violence against them. Films in this way encourage the abuse of Arabs. Stereotypes turn to be murderous and devastating to very great extents. In so doing, some Americans have developed petrified stereotypes about Arabs and other races that are often reacted against in ignorance and vehemence. In this sense, ignorance has characterized most incidents of violence against Arabs in Europe or America. Violence usually feeds on the impulse of the exotic images presented about Arabs mainly by the media. Therefore,

Ask American college students, in the elite universities or elsewhere, what they think of when the word "Muslim" is mentioned. The response is inevitably the same: gun-toting, bearded, fanatic terrorists hell-bent on destroying the great enemy, the United States (Said, W. Edward 1997, 26).

Noam Chomsky further goes on as to suggest that the media nurtures and disseminates stereotypes, and the American public is firmly controlled by a prejudiced media (Chomsky 2002). As a result of such prejudiced views about Arabs and Muslims, "many parents have complained that their children have become ashamed of their religion and heritage. Some have asked their parents to change their Arab names to something more American sounding. A Texas teen told his sister, "I lied about where our parents had come from." (Shaheen, G. Jack 2000). The feeling of embarrassment from the stereotypes embossed to one's origins does really have

deep influences on Arab children living in America. Extensively noticeable indeed are the multiple sorts of verbal and physical annoyances to which children are constantly exposed at almost a daily basis, whether at school, street or neighborhood. Following such examples, therefore, people need to be wary of judging other cultures and people before getting to know them closely. Certainly, no one would be comfortable in being the target of false judgments.

As long as citizens of countries are bamboozled into ready-packaged, stereotypical perceptions about other nations, as long as they keep faith in their ignorant knowledge regarding whom the other nations are and whether or not one should make efforts to establish peace and partnership with them, governments will continue to manufacture public consent to whatever agenda that suits their self-opinionated interests. Now, even wars are being waged by means of instilling propagandistic images in the minds of people about their potential enemies, which they do not even know quite enough. Therefore, the power to govern and positively affect the decisions of nations “comes directly from the people, not through the force of arms. This may have been tidy and direct as a theory, in practice it was far from exclusive.” (Targonski 2000, 110). The mobilization of “the bewildered herd” can make a difference and affect whatever unnecessary decision is to be taken by a certain country. This applies to both the Arab-Islamic world as well as the Western-Christian one, and whether or not such citizens are fully aware of each other’s differences, thereby willing to respect these differences and live in peace regardless of what the official discourses dictate. No less important is the fact that citizens of nations are controlled by media, which tends, most of the time, to convey to them bogus information serving nothing but the agendas of governments sponsoring them. In a nutshell, the hope for peace – if any – should be sought by individuals or collectivities alike with the aim of breaking out of the tight circle of knowledge wherein they have become confined by media. This will certainly contribute to influencing, later on, most of the decisions made by nations of the world, on top of which sits the United States of America.

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GEOPOLITICAL STRATEGIES AND MODERNITY: MULTIPOLAR WORLD OF NOWADAYS

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Abstract

The political map of the planet has transformed substantially during the last century. Former colonial powers had to be satisfied with the perfidious forms of political and economic control. The last decades were marked by the global dominance of the US and its allies, as well as the military superiority of the NATO pact. The beginning of the new millennium was filled with military and financial crises. On the global stage have appeared new economic and military powers and organizations such as the BRICS, the Eurasian Union, the economic power of China, and Russia's comeback in the geopolitical games. The former geopolitical theories become topical again.

Key words: geopolitics; strategy; great power; hibrid wars; USA

GEOPOLITICS AS HIGH POLITICS

In contemporary political discourse, the geopolitics is often synonymous with international, high politics and analyzes the complex relationships between history, politics, and geography. The creator of the term was a Swedish political geographer Rudolf Kjellén in late XIX century, inspired by the German geographer Friedrich Ratzel and his writing "*Politische geographie*" (Political geography) from 1897. The term spread in Europe in the period between the two world wars, and its usage was spread to a global level at the beginning of the Cold War. Since the earliest civilizations, people deliberated about how the particular geographic factors affect the political behavior of the people. Aristotle, for example, wrote in his "Politics" about the importance of the insular character of Crete for its role in the political history of ancient Greece (Sirota 2006). Bearing in mind its multidisciplinary character, there is no definition regarding the geopolitics that has been agreed upon, although the term is widely used in the media and politics. Defining national geopolitical strategies represents a complex synthesis of a multidisciplinary approach, in terms of political science, economics, history and geographical position. In geopolitics, politics is more important than geo (space), because the politics precede that mutual relation. Geopolitical analysis and projections serve as a guideline of state policy in the form of strategies and through practical actions. Geopolitics aims to provide answers to two key questions: what will happen and what to do? Often, for the purposes of geopolitical goals, there are abusing terms such as: "‘natural boundaries’, ‘historical right’, ‘living space’, ‘raison d’état’, ‘limited sovereignty’, ‘export of democracy’, ‘preventive war’, ‘human rights protection’ etc." (Kovacevic 2005, 10). It also represents the common needs for religious, ethnic, racial, or cultural closeness in order to achieve control over the territories in which people with that collective identity live. In the abstract sense, geopolitics traditionally indicates the links and

causal relationships between political powers and geographic space (Osterud 1988, 191). Political, military, economic and cultural superiority of the West at the global level dates from the epoch of maritime conquests at the end of the 15th century. By conquering the rich colonies and industrial development, the West has imposed global domination for centuries.

DOMINATION OF THE WEST IN GEOPOLITICAL THEORY AND PRACTICE

The theories of the Western geopolitical thinkers: Ratzel, Mackinder and Haushofer, to a greater or lesser extent are implemented or they are still topical for the broader area that is the elaboration subject in this paper. Ratzel's approach marked the state as a living thing that would collapse after reaching its full development. In order to live and survive, the state needs to expand its territory. While the state is growing, it tends to take the necessary living space ("*lebensraum*"). *Lebensraum* is a term that marked the main motivation for territorial aggression carried out by Nazi Germany. In his book "Mein Kampf", Adolf Hitler described in detail his view that the German people needed lebensraum - land and raw materials for a Greater Germany - and that this must be found on the East. These plans were implemented by the Nazi policy of killing, deportation, "Germanization" and enslavement of the Slavic people, and subsequent colonization of the territory by racially pure German people (Heim 2003, Heiber 1958). This theory was misused during the period of Nazism, although in the West was then emphasized that geopolitics did not have a Nazi orientation by its nature, but it was helpful for democratic states and their (hidden) imperialist plans (Tuathail 1996, 154).

Karl Haushofer defined geopolitics as the science of dependence of political events on the geographical area. He projected future global organization, dividing the world into the three parts, i.e. pan-areas: Pan-America, where the United States would dominate, Pan-Europe, where Germany would dominate, and Pan-Asia which would be dominated by Japan. Anglo-American school of geopolitics refers to the teachings about the domination of the land or the advantage of maritime power (Haushofer 2007).

A great proponent of the United States maturation as a global naval force - Alfred Thayer Mahan, through the analysis of the main ideas of his book "The Influence of Sea Power upon History: 1660-1783" from 1889, affected the imperialist directions of US foreign policy. Mahan pleaded not only and exclusively for the military occupation of the territories, but also for the impact of economic and cultural factors by empowering the allies and weakening the opponents, which today is known as the term "soft power". (Mahan 2004). Mahan was criticized for the propagation of the global application of the so-called anaconda strategy. This is the idea that the ultimate goal of the US policy (implemented through a whole range of international organizations, of which the most dominant is NATO) was to round off, and then lead to political and economic collapse of its antagonists on the Eurasian land mass, especially Russia and China. It is important to emphasize that Mahan is not the original creator of this strategic approach, as it has already been elaborated by the American general Winfield Scott, who exactly suggested Lincoln "rounding" the separate Southern states as a way to overcome them (Kovacevic 2005, 31).

The English geographer Mackinder with his theory of Heartland from 1904 considered that in the global conflict between land and sea there was a predominance of land, specifically in the states that controlled the Heartland - the central part of the Eurasian continent (Mackinder 1904). He was particularly concerned that under British control it was not the territory that, according to his interpretation of historical events, represented the pivot, i.e. the fulcrum. This

central point which the axis of the world history was revolving around, Mackinder called Eurasia. The problem for Mackinder and British imperialists was that Eurasia was controlled by Russia. Mackinder warned that united Russia and Germany could take over from Britain the primacy of global hegemon, because the sea fleet of these two states and their potential could easily overpower the British. His biggest nightmare was construction of a railway line Berlin-Moscow-Baghdad-Persian Gulf, because it would directly jeopardize the British monopole in the Indian Ocean. With that line built, it would have been necessary to alienate Germany and Russia, which introduced Europe in the cataclysm called the First World War (Kovacevic 2005). Mackinder claimed that European countries did by sea what e.g. Alexander of Macedon did by land. They got around, and then surrounded their opponents, taking under their control key coastal points. Thus was born the famous strategy of "anaconda", which opponents of the Atlantic powers still see as a fundamental orientation of the Anglo-American geopolitical efforts.

The "central country" (Heartland) included area of Ukraine, Western Russia and Central Europe. Heartland included the Ukrainian grain fields and Russian oil resources around the Caspian Sea. The theory of the Heartland projected the possibility to create a huge empire/alliance which would not need to use coastal or transoceanic transport in order to maintain its military-industrial complex, and this empire/alliance could not be defeated by the rest of the world, even if incorporated against it. It will articulate the geopolitical formula that still represents one of the main clues of the Atlantic geopolitical current: "Who rules Eastern Europe, commands the Central Country. Who rules the Central Country, commands the World Island (Eurasia + Africa). Who rules the World Island, commands the world." (Mackinder 1919, 194). Perhaps in this conflict it could be seen that historically antagonistic dualism: the sea against the land or, by more contemporary terms told, Atlantis' against Eurasian. The followers of Mackinder's geopolitical ideas may include not only long-standing British prime minister and statesman Winston Churchill (who was his personal friend), but also Henry Kissinger and Zbigniew Brzezinski, two immigrants from Central Europe who were in the top of the US government (Kovacevic 2005). Although this Mackinder's theory had appeared before the First World War, the development of the geopolitical events in this War did not deny it. This theory was considered by the Nazis during the Third Reich harmoniously with their desire for monitoring Central Europe and occupying Ukraine, with the slogan "*Drang nach Osten*", or "thrust toward the East". With the appearing of the Cold War, Mackinder's theory regained some credibility, when instead of an armed conflict, it considered more powerful political influence over the nations, which however was the projection of force, only by other means. What in some extent disproved the credibility of this form of geopolitics was the rise of Japan - the country without significant natural resources (Gearoid 2007). Britain had most success and by the beginning of the twentieth century managed to create a huge empire where "the sun never sets". However, the problems arose in maintenance of global power, especially during the (second) Boer War, which lasted from 1899 to 1902. It was clear that Britain would need the help of some strong and spatially well - positioned allied country. Mackinder is one of the key figures responsible for the success of connecting the then growing power of the United States to the British orbit, and later "hand over" the imperial torch to the American circles (Kearns 2009, 67). Mackinder in his works assigned himself the main task to determine where and in which way the biggest threat to the interests of the British Empire could appear, so the British Empire could be prepared on time and resist. Mackinder mentioned the seven nations for which was necessary to ensure the creation of independent states (Anglo-American protectorates), which could permanently monitor the Central Country. Those were the Poles, the Bohemians etc. (as

Mackinder called Czechs and Slovaks), then Hungarians, Romanians, Bulgarians, Greeks and Southern Slavs (Mackinder 1904, 206). Some US geopolitical circles even claimed that Uzbekistan could play a significant role in encircling (and “suppressing”) Russia, i.e. the role analogous to the one Mackinder designated to the countries of Eastern Europe. Therefore, they strongly insisted that Uzbekistan tied to the NATO orbit (Megoran 2004).

The opinion of Halford Mackinder was opposed by Nicholas Spykman who believed that the peripheral areas of Eurasia - the so-called Rimland – were militarily and strategically more significant than Hartland, and control over these areas would provide a world domination. Based on these attitudes (whose supporter was also George Kennan), the United States in the Cold War period defined the “containment policy” of the socialist block in the peripheral area of the Eurasian Rimland, precisely by forming regional security alliances (Vukovic 2007).

The hegemony of the Anglo-American circles was especially evident in the period after the First World War, and also after the Cold War, and the most of the arguments by which these circles (also today) justified their power and their activities (the so-called ideology of Atlantism) were for the first time publicly expressed in Mackinder’s articles and books. The international system based on an agreement between the great powers in Yalta in 1945 about the division of spheres of influence, brought the Cold War and paradoxical “rules and certainty” into it, with the balance of power and the fear of nuclear war, controlled conflicts on the periphery and propaganda contest with sharp ideological generalizations. As the spotlight, geopolitics appeared in the period of proclaiming a “clash of civilizations” (Samuel Huntington) and “the end of history” (Francis Fukuyama) in the 90s of the XX century and triumphant promotion of “New world order”. “History has not been completed, but has already become compacted, its trajectory is uncertain”, warned the influential American geopolitical strategist Zbigniew Brzezinski (Brzezinski, 1994). Theorists of geopolitics argue that the history has principles that are repeated from epoch to epoch, and that only the great power that perceives them at a time and uses them for its own interests can ensure growth, development and prosperity. However, Europeans are minorities on the globe, and the history of European colonialism contains so many crimes, lies and human suffering that Gandhi was right when replying that it would be “a good idea” if someone asked him (Kovacevic 2005). Classical geopolitics was designed by the Europeans for the achievement of predominantly Eurocentric interests.

GEOPOLITICAL CONCEPTS OF THE “EAST”: PAN-SLAVISM AND EURASIANISM

We will also consider the theories of Russian and “Eastern” geopolitical thinkers: Nikolai Danilevsky, Peter Savitsky, Aleksandr Dugin and Jean Parvulescu. Generally speaking, in the Russian geopolitical thinking two different streams can be seen, depending on whether cultural or geographic characteristics are given primacy in theoretical concepts. If cultural and religious factors are in the foreground, then, as it will be seen, it is referred to the theorists who represent pan-Slavic ideas, like Danilevsky. On the other hand, highlighting geographic factors and minimizing all the others, led to geopolitical concept in Russian thought that is known under the name of Eurasianism, like the one created by Savitsky, who was the most influential in the group of intellectuals and former officers of the Imperial Russia, and the one who formed the Eurasian movement in the twenties of the last century, after his exile from Russia in the countries of Eastern Europe (Bulgaria, Czechoslovakia, Yugoslavia etc.). Many experts of the Russian

policy argue that today's Putin's Russia with its foreign policy actions implements exactly the ideas of Savitsky and other "Eurasianists".

The main commitment of Danilevsky, after the creation and unification of Germany in 1871, was analogous creation of a Pan-Slavic federation under the leadership of Russia. Danilevsky indicated examples of hypocritical double standards in the relations between Europe and Russia, because what was tolerated by the European powers, especially by Germany, caused a sharp condemnation when the similar foreign policy moves were withdrawn by Russia (Kovacevic 2005, 38), pointing out that Russia was less conquering and colonizing than Western European countries that criticized its unlawful territorial enlargement. On the side of the Western European nations, which he called "Romano-Germanic", Danilevsky observed centuries-old "hate and despite" against the Slavic nations, what he explained by the existence of a "strong, hard core" among the Slavs that Westerners could not transform and assimilate. He called to the building of a political project i.e. Pan-Slavic alliance (federation) which, in his opinion, could be the only one able to provide the right of development of an especially Slavic type of civilization and protect it from pressures, blackmails and violence that came from the Romano-Germanic (European) political community. Danilevsky argued that the powerful European circles had an ultimate goal of breaking Russia and destroying the Slavic cultural-historical type, because they saw it as the only "obstacle" to the global dominance of its value system (Danilevsky 1991, 89, 130). The basic theses of Savitsky are related to design a theoretical framework for the formation of the Eurasian empire led by Russia. Eurasia was therefore, according to Savitsky, a "third" continent. It is important to note, and therefore to point out the main difference between Eurasianists and pan-Slavists, that all nations that lived and still live in this area, irrespective of their religion, are considered as constituent and equal nations of Eurasia (Savitsky 1997). Savitsky believed in a global-historical mission of Russia, often saying that Russians, "more expressly than other nations, have two countries: Russia and the world" (Savitsky 1997). That is why, according to Savitsky, the enterprises of the Russian people always had among the national level a universalistic messianic dimension as well. A similar statement about national particularities and messianism are now also popular among American neoconservatives. It is interesting that this statement was convincingly disputed by the Russian President Vladimir Putin (whom many consider to be the protagonist of Eurasianism), in his letter to the New York Times regarding the events in Syria. If Putin generally despises the messianic role of the United States, does he have the same attitude towards the messianic role of Russia? (Kovacevic 2005, 43). The Eurasian movement, that under the leadership of Savitsky played an important intellectual role in Eastern Europe between the two wars and even Haushofer's journal "*Zeitschrift für Geopolitik*" published articles about it, at the beginning of the new millennium became a reality, by the creation of the Eurasian Union.

Aleksandr Dugin presents the history of modern Russia as a struggle for influence between the two antagonistic leaguers whose existence was meant by all theorists of classical geopolitics, i.e. leaguer of "Atlantists" (sea forces) and leaguer of "Eurasians" (land forces). Dugin blamed "Atlantic" lobby (especially the impact of the UK) for provoking both World Wars and for creating the conditions for extremely violent clashes between Germany and Russia (Dugin 2005, Kovacevic 2005).

Romanian intellectual Jean Parvulescu called the Eurasian empire "the last empire", "empire of the end", "*imperium ultimum*", because for him it represented the final reconciliation

and integration of Orthodoxy, Catholicism and Islam into a single religion, firstly in terms of Orthodoxy and Catholicism, and then Islam as well. Opponents of this idea are located by Parvulescu in the Anglo-American circles, for which he believed that they are ready to use even nuclear weapons to prevent the political community (federation) between France, Germany and Russia, which would act as the backbone of the new (counter-global) World order. The latest ideological incarnation of this opposition was found by Parvulescu in the works of American professor Samuel Huntington about an unavoidable confrontation of civilizations. At the same time, he emphasized the importance of the document named “US Strategy of National Defense” in the early 1990s, in which it was explicitly said that by using all means available, the US must ensure dominance in the world and status of the only world power (unipolar world) (Parvulescu 2006, Kovacevic 2005).

NEW GEOPOLITICAL GAMES ON THE “CHESSBOARD”

Military-political block NATO, created for the “confining” of the USSR, since the beginning of the 90s is consistently moving towards the border of the Russian Federation, ignoring its geopolitical interests. After the fall of communism, the ideological disagreements between Russia and the US disappeared, but what did not disappear was the rivalry that has nothing to do with ideology, but with geostrategic circumvention of spheres of influence and domination. Francis Fukuyama assumed that after the fall of the Berlin Wall and the decline of the USSR and its communist ideology the “end of history” came, or in other words, the last stage of development of societies, in which almost all points on the planet accept democracy, free markets, capitalism and human rights. Despite the promises given to Mikhail Gorbachev after the Cold War era, NATO spread to the East including in its composition some former Soviet republics as well (Cehulic 2010, 162). Hence, NATO entered in the area that Russia considered as a “zone of its protected interests”. Moscow has lately adapted to this aggressive penetration of the West in the 90s of XX century. Only with the arrival of Vladimir Putin at the head of Russia the sphere of (its) interests began to strengthen. Washington answered with a proven recipe - the methods used on the Balkans. In this manner, Ukraine was affected, in terms of a field of conflicting interests. By learning the Western techniques and style of media battles in the past decades, Moscow proved itself more superior during the Ukrainian crisis and the Crimean issues showed more superior in this hybrid war. Although it is obvious that neither the West nor Russia lag behind in hybrid war, at least when one looks at artificial knockdown price of oil and gas, the fall of the value of the ruble in Russia - NATO more openly admits that Russia has shown that knows how to lead a "hybrid war". The crisis in Ukraine injected a new dose of adrenaline into NATO and handed it a new justification for its existence. The Cold War is not completely over yet, so the former enemies behind the “iron curtain” were not seen as potential partners by Washington. On the contrary, they continued to treat Russia, as the successor of the USSR, on the same scales as in the Cold War, while the states of the socialist camp simply conquered their interests. Today, this is most obvious in Poland and the Baltic countries. After the collapse of the Soviet Union (1991) and the entire socialist block in Europe, the unipolar dominance which was built by the United States and its allies over the ruins of this and such a world, however, proved however to be a short-lived victory. The unipolarism which was established during the 90s of XX century through the idea of a new world order, the United States, as the only remaining global superpower and the unification of Germany as an economic force (which sought after economic supremacy in Europe, substantiated also by political influence and ambitions after

unification), imposed the new rules of the game. The dominance of the US and Western values marked the creation of a new, American order. Military interventions in Iraq, Yugoslavia, Afghanistan, the “Arab spring”, the financing of upheaval in Ukraine - all those are the results of the American foreign policy. The bipolar world, which in the last decade of the XX century was turned into unipolar, with one global superpower, already in the first decade of the new XXI century gradually takes shape of a multipolar one.

The economic and military buildup of China, creating new “multi-vectorial” Russian foreign policy in line with the new global trends and multipolarity, whose outlines are looming up - lead to new geopolitical game rules. The political influence and importance of the USA in the world are still indisputable and certainly will be alike in the future due to their military power, and they play one of the key roles on the planet, although they will be forced to share their once dominant power with other global players. Now, there is less talking about globalization that unites the planet, and more about a new cold war between the West and Russia, and possibly other new powers such as China, Iran and India. A new form of geopolitics, in the form of geo-economics, capital exports, investments, free trade etc., represents a field for new expansion of political interests. Geo-economics which sublimates economic, geographic, strategic, political, and cultural resources of one area has become an important segment in the field of foreign political activity in the modern world. A common feature of geopolitics and geo-economics is that both are methods of analysis and interpretation of the balance of forces at the international level. Geo-economics relies on economic resources. It excludes violence. In recent years, as examples, we can notice energy agreements like North and South stream, or favorable government loans. The Russian Federation is trying to regain its influence on various points on the planet, mainly through the forms of economic and political integration and alliances such as the CIS (Commonwealth of Independent States) and the Eurasian Union and the BRICS (economic connections: Brazil-Russia-India-China-South Africa), in the epoch often referred as “post-American”. BRICS is the biggest market on the planet, because it covers 2.9 billion people, or about 40% of the global population. The economic strength of BRICS countries, which together provide over 26% of the world’s Gross Domestic Product, the military power of Russia and China, the social chaos and refugee crisis created after the Western interference - tend to reduce the global power of the West. There is no doubt that its power will be significant in the ensuing coming period, but it will have to take into account the interests of other geopolitical players. George Friedman, the head of intelligence of the analytical agency “Stratfor” points out that the United States in the last 100 years carried out a very consistent foreign policy, whose main goal was – not to allow any force to gain too much power in Europe. It should be noted that the US has always felt that the greatest danger threatens from a potential alliance between Russia and Germany.

CONCLUSION: MULTIPOLAR WORLD AND MODERN CHALLENGES

A new form of geopolitics, in the form of geo-economics, capital exports, investments, free trade etc. is a field of new forms of influence. Geo-economics which sublimates economic, geographic, strategic, political, and cultural resources of one area becomes an important segment and field of foreign political activity in the modern world. A common feature of geopolitics and geo-economics is that both are methods of analysis and interpretation of the balance of forces at the international level. Geo-economics is both the purpose and means of geopolitics as practice.

Political power is used from immemorial time for economic goals to be achieved. Geo-economics relies on economic means. It excludes violence (Babic 2010). The USA are swamped in a number of interventions around the world, from Afghanistan to Iraq, Libya, etc, with a huge national debt and there is a tendency of strengthening other forces which are seeking their place on the global stage. The economy of China and the Russian armed forces combined have become a threat number one for the US. The engagement of Russia, Iran and China at a new global focal point in Syria 2015 indicates that the relations on the global chessboard of foreign policy are slowly changing. Until recently, it was unthinkable that someone openly could oppose to the inviolable United States in “establishing world peace and order”. The geopolitical struggle for flows of energy, oil, gas, mining and fight for resources by "hybrid war" – are a feature of contemporary geopolitics. It is obvious that the theories of the Heartland, Rimland, *Lebensraum*, Eurasianism or Pan-Slavism are not forgotten and that they are still present actually. They are being carried out only under changed circumstances and with certain modifications.

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